WASHINGTON OFFICE
6 Month Report

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OFFICE FOR INFORMATION TECHNOLOGY POLICY (OITP)

Ebook Website Developed

On October 16th, ALA formally announced a new website "Ebooks & Digital Content," a component of the Transforming Libraries site. The new website provides access to a wide array of ALA-produced and other resources, which will be maintained and improved by the Office for Research & Statistics and the Digital Content Working Group (DCWG). This website complements the American Libraries "E-Content" blog, the primary location for DCWG public communications.

OITP Releases Ebook Communications Toolkit

The DCWG released a media and communications toolkit for librarians in November. The toolkit provides librarians with templates to support a variety of advocacy activities such as issuing press releases, obtaining op-ed placements in local newspapers, writing letters to the editor, and working with the media in general. The toolkit is available on the
new "Ebooks & Digital Content" [Transforming Libraries website](). The toolkit is available on the
[Transforming Libraries website](). It received 7,600 page views in its first two weeks, and content continues to be updated and added.

ALA President Releases Open Letter to Publishers

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

Hachette to Raise Library Ebook Prices 104%

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

Panel to Discuss E-book Lending Practices at ALA Midwinter Meeting

On Saturday, January 26, 2013, library leaders will discuss ALA initiatives to advocate for fair e-book library lending policies during a session at the 2013 ALA Midwinter Meeting. The session, titled "E-books and Libraries: Where Do We Stand and Where Are We Going?," will be held in the Washington State Convention Center Room 602-603 from 1:00-2:30p.m. The session will be moderated by Digital Content Working Group member Sari Feldman, executive director of the Cuyahoga County Public Library. Member Bob Wolven, associate university librarian at Columbia University, will discuss e-book licensing business models.

ALA Digital Content Working Group Releases Digital Rights Management Tip Sheet

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

Economists Release Economic Report on Ebook Pricing

In October, OITP released an economic report by renowned economists Stanley M. Besen and Sheila Nataraj Kirby. In the report, the economists discuss fair ebook pricing for libraries. According to report findings, "price" (in the economic lexicon) is determined by the library's "willingness to pay." The price that a library is willing to pay for an ebook is determined by the perceived value accorded by library users and any additional costs that the library user must incur (in time and energy) to access the title.

IFLA E-book Expert Meeting

Carrie Russell attended a 2 ½ day meeting on ebooks with International Federation of Library Associations (IFLA) representatives November 26-27, 2012, in The Hague. Libraries from other nations are having some of same problems that U.S. public libraries are facing—namely, restricted access to ebook content. The report from the meeting includes an excellent round-up of the meeting in *Publishers Weekly* by Peter Brantley from the Internet Archive.

ALA Releases Ebook Business Models Report

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

OITP Releases Backgrounder on "Libraries, Patrons, and E-books"

As part of the ALA Office for Information Technology Policy's work with the Digital Content and Libraries Working Group, several member leaders have requested that the ALA develop and distribute communications resources that will support local libraries around digital content issues. OITP released the first of these documents, a backgrounder that shares some highlights from the newest Pew

Research Center report on "Libraries, Patrons, and E-books," along with some possible messaging and local angles for leveraging this new research with local media and decision makers.

Digital Literacy Task Force Hosts Two Successful Webinars

On November 14, 2012, the ALA Digital Literacy Task Force, led by OITP, hosted the online forum, *Creating a Culture of Learning: How Librarians Keep Up with Digital Media and Technology*. As part of the free virtual forum, digital literacy leaders addressed dramatic shifts in learning and civic engagement due to the rapidly changing technology landscape. The experts also discussed the ways that information professionals can keep up with new technology tools and ensure that their communities fully participate in the digital age. The task force hosted the interactive webinar, *Assessing Digital Literacy: Outcomes and Impact*, on Tuesday, December 11, 2012, which was attended by more than 450 people.

Additionally, Alan Inouye, director of the ALA Office for Information Technology Policy, will discuss future directions for ALA leadership on the e-book issue. The session will include a leading panel of experts and practitioners from the e-book publishing ecosystem that will illuminate policy priorities for ALA going forward. Panelists include: Tim Coates, Bilbrary; Matt Tempelis, cloud library business manager, 3M; and Jamie LaRue, director, Douglas County Libraries (Colorado).

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

The Institute of Museum and Library Services awarded the Public Library Association a $291,000 grant to develop an online collection of digital literacy resources that will be accessible to libraries, patrons and community-based organizations. The grant will include handouts, the development of training curricula in English and Spanish and library patron skills assessments. PLA will partner with the ALA's Office for Information Technology Policy and the Chief Officers of State Library Agencies to generate the online digital literacy resource collection. PLA will launch the online resource center at the 2012 ALA Midwinter Meeting in Seattle, and the organization plans to continue demonstrations of the resource center at ALA and PLA conferences from 2013-2014.

ALA Collaborates with Ad Council

ALA continues its work with Connect2Compete and is focusing on the upcoming Ad Council campaign on digital literacy that will launch in March 2013. The campaign is a three year campaign that will encourage people who do not already regularly use the Internet to find and use training opportunities provided by libraries and other community based organizations. Libraries are expected to be a major resource for the targeted population of the campaign and OITP is working with PLA to support its project creating an online Digital Learning Center. The project will result in a hub of resources for end users and practitioners for digital literacy training resources. In addition to this specific work, OITP coordinated a task force for Connect2Compete to vet its current collection of online end user resources that will be part of the launch that supports the Ad Council campaign.

New Study on Public Libraries as Providers of Digitally Inclusive Services and Resources

The ALA Office for Information Technology Policy is very happy to spread the word that ALA will again partner with the University of Maryland Information Policy & Access Center on a national study of the roles libraries play in supporting digital inclusion. ALA Office for Research & Statistics Director Kathy Rosa will serve as project director, John Carlo Bertot will manage the survey, and the

International City/County Management Association and OITP will serve as partners on the grant. The project is funded by a three-year, National Leadership Grant award of $486,587 from IMLS.

ALA to Support Digital Learning Day 2013

ALA has been actively involved in plans for Digital Learning Day 2013 which is intended to highlight the daily digital literacy work done by libraries. The February 6, 2013eventis sponsored by the Alliance for Excellent Education and is the culmination of year-long activities in K-12 schools, public libraries, and among educators. This year's event in Washington, D.C. will celebrate educators who collaborate to create inspirational learning opportunities for young people by effectively integrating technology use and practices in and out of the classroom. The Washington Office has encouraged school librarians to blog about their programs and activities that support digital learning for their students and submit these posts to the Digital Learning Day website where different programs are highlighted. Librarians are also encouraged to help promote DLD by using their promotional materials, some of which were created specifically for library use.

OITP Collaborates on New "Inclusive Gigabit Libraries" Initiative

The ALA Office for Information Technology Policy's Program on Networks is pleased to announce it will be working with the Graduate School of Library and Information Science (GSLIS) at the University of Illinois at Urbana-Champaign and U.S. Ignite to promote access to and use of gigabit networks. The Institute of Museum and Library Services recently funded GSLIS to convene library and broadband leaders in a series of national continuing education forums to enhance understanding of how libraries may adopt and use next-generation Internet networks and applications to benefit communities. The first forum took place November 2 at the California Library Association conference.

OITP Staff Speak at Digital Public Library of America Midwest Meetings

OITP offered remarks on the value of the Digital Public Library (DPLA) to the library community at the DPLA Midwest meetings, which took place October 11-12, 2012 at the Chicago Public Library. DPLA Midwest is the third major public event bringing together librarians, technologists, creators, students, government leaders, and others interested in building a Digital Public Library of America. Convened by the DPLA Secretariat at the Berkman Center for Internet & Society and co-hosted by the Chicago Public Library, the event assembled a wide range of stakeholders in a broad, open forum to facilitate innovation, collaboration, and connections across the DPLA effort.

OITP Fellow Bob Bocher Selected for U.S. UCAN Advisory Council

The United States Unified Community Anchor Network (U.S. UCAN) has selected Bob Bocher, ALA Office for Information Technology Policy Fellow, to sit on the organization's first U.S. UCAN Advisory Council. UCAN is an Internet2 program that works with regional research and education networks to connect community anchor institutions, such as schools, libraries, healthcare facilities and other public institutions, to advanced broadband networks. As a member of the Advisory Council, Bocher will represent the needs and concerns of the library community, help shape and evolve U.S. UCAN, and advise Internet2 on ways that libraries may better serve the needs of their communities by being connected to high-capacity broadband networks and using applications that require such connectivity.

OITP Staff Participate in Alaska OWL (Online With Libraries)

In September, OITP participated in the Alaska OWL (Online With Libraries) Broadband Sustainability Summit in Anchorage, Alaska. The Alaska State Library team hosted a full house of OWL-participating librarians, advocates like John Windhausen of the Schools, Health and Libraries Broadband (SHLB) Coalition and OITP Fellow Bob Bocher, and state leaders, telecom providers and researchers.

Copyright Authority Carrie Russell Hosts Popular Copyright Webinar

In December 2012, OITP hosted the webinar, "Complete Copyright for K–12 Librarians and Educators" to promote the book of the same name. The book, put forth by Carrie Russell (from the Office for Information Technology Policy), addresses the challenges that school librarians and teachers face concerning copyright-protected print and online materials at schools and outside of the traditional educational environment. Learn more about the book at http://www.alastore.ala.org/detail.aspx?ID=3104.

OITP Participates in Library 2.012 Virtual Conference

OITP organized and participated in three sessions at the Library 2.012 virtual conference, which took place October 3-5, 2012. The Library 2.012 Conference is a global conversation on the current and future state of libraries. Subject strands include physical and virtual learning spaces, evolving professional roles in today's world, organizing and creating information, changing delivery methods, user-centered access, and mobile and geo-social information environments.
OITP staff discussed Pew research data, contemplation and digital content.

Larger Library Community

Maureen Sullivan and OITP Director Alan Inouye (and others) continue to support and monitor Digital Public Library of America (DPLA) activities for ALA. While not directly relevant to the current ebook interests of the DCWG, DPLA developments are pertinent to the larger mission of the Working Group. Additionally, ALA continues to participate in the advisory group for the Pew studies on libraries and digital content funded by the Gates Foundation. OITP Program Director Larra Clark and ALA Councilor-at-large Bobbi Newman serve on this group. Finally, Maureen Sullivan continues to work with colleagues at the Berkman Center to explore further work on ebooks and libraries and the broader issues concerning digital content.

WIPO International Treaty

In December 2012, the World Intellectual Property Organization (WIPO) took another step towards a new copyright treaty—one that would ensure that WIPO member nations adopt an exception in their respective laws for people with print disabilities and allow nations with exceptions the ability to share digital content across borders. A print-disabled person is defined as one who cannot effectively read print because of a visual, physical, perceptual, developmental, cognitive, or learning disability. The U.S. Copyright law already has an exception that allows authorized entities the right to make accessible copies for people who are blind or handicapped without the prior permission of the rights holder and for no royalty fee.

Since 2007, the Library Copyright Alliance—a coalition whose members include ALA, ACRL and the Association of Research Libraries— has supported this proposed treaty that would be vast improvement especially for blind people in developing nations where access to accessible copies is

woefully low. WIPO agreed to hold a diplomatic conference in February 2013 on the treaty. Treaty language will be finalized and then presented to the General Assembly later this year for adoption.

Global Congress on Intellectual Property

The Library Copyright Alliance also collaborates with a large number of nations on framing a new agenda for intellectual property in the public interest. The goal of the Global Congress on Intellectual Property and the Public Interest is to define a positive agenda for policy reform, build a global network of scholars and advocates to promote the agenda, and provide opportunities for the sharing of research and strategies. A model copyright law with exceptions for users has already been drafted. The hope is that developing nations without a copyright law or those amending existing copyright laws would look to this model as a benchmark.

Library Copyright Alliance Touts Copyright Exceptions at International Assembly

Advancement towards more flexible copyright law continues in earnest at the World Intellectual Property Organization's 24th Copyright and Related Rights Standing Committee session (SCCR), which began July 16, 2012, in Geneva, Switzerland. The Library Copyright Alliance (LCA) was represented by international copyright advocate and librarian, Lori Driscoll, who carried the message that copyright exceptions for libraries ensure a vibrant arena for the creation and use of intellectual works as well as the advancement of learning.

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

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

Copyright Law Book Available for School Librarians and Educators

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

ALA Copyright Activist Honored at the World Library and Information Congress

The International Federation of Library Associations and Institutions (IFLA) honored longtime library advocate Winston Tabb at the World Library and Information Congress, which took place in August in Helsinki, Finland. Tabb, who is the dean of Libraries and Museums at Johns Hopkins University, received Honorary Fellowship—the IFLA's highest honor—for his 20 years of service for bringing light to the roles of libraries in international copyright discussions. The honorary fellowship honors persons who have achieved prolonged and distinguished service to IFLA. Tabb is well known for his work on the IFLA Committee on Copyright and other Legal Matters and as an IFLA representative to

the World Intellectual Property Organization. The American Library Association recently honored Tabb with the L. Ray Patterson Copyright Award during the 2012 American Library Association Annual Conference in Anaheim in June 2012. The Patterson Award recognizes the contributions of individuals or groups that pursue and support the Constitutional purpose of the U.S. Copyright Law, fair use and the public domain.

Gates Foundation Benchmarks Project

ALA OITP and PLA have been active participants in *Edge*, a national coalition formed to design and pilot a series of public access technology benchmarks, with $2.8 million in funding from the Bill & Melinda Gates Foundation. The Version 1.0 benchmarks have recently been completed and shortly will be launched in the field, along with supporting tools and resources for implementing and communicating about the benchmarks at the local level. Attention now is turning toward developing evaluation metrics, launching the program nationwide, and establishing governance and sustainability models for the initiative. OITP has been deeply involved in developing the benchmarks and providing research support to inform sustainability planning, while PLA is responsible for developing training for Edge libraries. Edge Coalition members will provide a progress update at the ALA Midwinter conference on Saturday, January 26th at 10:30 a.m. in WSCC Rooms 611-614.

ALA Advocates for Library Broadband Funding

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

OFFICE OF GOVERNEMNT RELATIONS (OGR)

Legislative Updates

Because the 112th Congress truly earned the title of the "least active" Congress in history, and because there was a lengthy recess during the election/campaign season, there is little to report.   about library-related legislative activities.   Two major exceptions relate to bills on surveillance: The Electronic Communications Privacy Act (ECPA) and the FISA Amendments Act.

Electronic Communications Privacy Act (ECPA)

ECPA: Senator Patrick Leahy (D-VT), chair of the Senate Judiciary Committee (SJC), scheduled a committee markup on the reauthorization of the Electronic Communications Privacy Act of 1986 (ECPA) when the Senate returned in November after the election. The SJC took an important bipartisan vote to reform (ECPA) and strengthen the privacy protection of emails and documents stored online in the "cloud." Sen. Leahy spearheaded an amendment to the existing law to require that the government seek warrants before law enforcement, or other federal regulatory bodies, may obtain personal online records from Internet service providers and third party providers.

The current ECPA law allows investigators access to emails and other private online information through third parties without judicial approval. However, when the bill moved to the Senate floor none of the amendments passed – and ECPA did not pass. ECPA, which was last updated in the mid-1980s, details the lengths that government may go to in order to access private digital information. At a time when cloud computing is taking off and more and more of our daily interactions take place in the "cloud," clarity of this law is essential. The government currently claims that our private information that resides in the cloud and the location information that can be accessed via our mobile phones is accessible without a warrant. ALA strongly supports an updated amendment to ECPA that protects the personal privacy stored digitally in the cloud.

As part of ALA's efforts to promote reform of ECPA, OGR staff worked with a coalition that includes the Center for Democracy and Technology and the Electronic Frontier Foundation in a new campaign, called Vanishing Rights.

ALA Joins Privacy Coalition

ALA joined with like-minded groups, such as the Center for Democracy and Technology and the Electronic Frontier Foundation in a new campaign, called Vanishing Rights, to reform the Electronic Communications Privacy Act (ECPA). ECPA, which was last updated in the mid-1980s, details the lengths that government may go to in order to access private digital information. At a time when cloud computing is taking off and more and more of our daily interactions take place in the "cloud," clarity of this law is essential. The government currently claims that our private information that resides in the cloud and the location information that can be accessed via our mobile phones is accessible without a warrant. ALA strongly supports an updated amendment to ECPA that protects the personal privacy stored digitally in the cloud.

Library Funding – Sequestration Delayed

At the end of 2012, Congress passed and the President signed into law H.R. 8, the American Taxpayer Relief Act of 2012. The bill, which extended tax cuts for all individuals making less than $400,000 and married couples making less than $450,000, also delayed sequestration until March 1, 2013, which would enact an automatic 8.2 percent cut to all discretionary spending--including many federal library programs. The law reduces the total amount of sequestration by $24 billion, ultimately cutting $12 billion in discretionary cuts through defense spending and nondefense discretionary, which includes federal library programs.

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

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

Foreign Intelligence Surveillance Act Reauthorization

In late December, the Senate reauthorized (without an amendment) of the Foreign Intelligence Surveillance Act Amendments Act (FAA), a bill that gives the National Security Agency power to monitor the international phone calls and emails of Americans. ALA asked library supporters to contact their legislators to advocate for amendments that would increase privacy protections to the law and add transparency requirements. FAA is the 2008 law that, among other things, legalized the Bush administration's warrant-less wiretapping program. As it did in 2008, ALA opposed the warrantless wiretap program because the public is at risk of being needlessly spied upon with little or no legal recourse, as the law reads now. On December 13, we sent out an action alert on the FISA Amendments Act (FAA). The alert asked supporters to write their senators to ask for more time for debate on FAA instead of being hastily re-authorized. Although the bill was eventually passed without debate, we were able to generate over 675 messages into the Senate asking for more debate.

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

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

Senate Ends Cybersecurity Act of 2012 Debate

In August, the U.S. Senate took a cloture vote to end debate on S.3414, the Cybersecurity Act of 2012. The vote was recorded as 52-46 meaning there was not the 60 votes necessary to advance the bill. This vote signals that the bill will likely not be taken up this year. The ALA Washington Office used its Mobile Commons text messaging advocacy service to usage supporters to contact their legislators to oppose the bill. The ALA thanks all of those who contacted their senators on the important issue. The fight to protect privacy is far from over though. **Sign up for text alerts from the Washington Office to receive the most up to date information on advocacy alerts and events by texting "library" to 877877.**

Political Expert to Address Midwinter Meeting

The ALA Committee on Legislation (COL), in conjunction with OGR staff, will assess the impact of the election results on library issues. This will also be the theme of a major speaker at Midwinter: Jennifer Duffy, senior editor of The Cook Political Report, will discuss recent changes in the political landscape at the 2013 ALA Midwinter Meeting on Saturday, January 26, 2013. The political expert will detail the ways that the recent presidential and congressional elections will impact library policies and legislation during the Washington Office Update session from 8:30–10:00a.m. Upcoming legislative issues will be a major part of the COL agenda in Seattle.

Midwinter Meeting Copyright Session

On Saturday, January 26, 2013, from 10:30–11:30 a.m. in WSCC Room 604, the Committee on Legislation Copyright Subcommittee will host a panel discussion exploring the copyright landscape on Capitol Hill at the start of the 113th Congress. The outcome of the recent elections, as well as activity in the courts will be discussed. The focus of the discussion will be on the potential for legislation being introduced in response to the copyright case before the U.S. Supreme Court, Kirtsaeng vs. Wiley & Sons, Inc. At the center of the case is the first sale doctrine, which is also at the heart of what allows libraries to do what they do – lending books and other materials to the public. Panelists include Kevin Smith, Scholarly Communications Officer, Duke University, Laura Quilter, Copyright and Information Policy Librarian, University of Massachusetts – Amherst, and Vailey Oehlke, Director of Libraries, Multnomah County, OR.

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

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

HathiTrust

On October 10, 2012, U.S. District Court Southern District of New York Judge Baer ruled in the Authors' Guild, Inc, et al. v. HathiTrust, et al. At the heart of the case was the Authors' Guild's assertion that the HathiTrust Digital Library's scanning and digitizing of works from several universities for inclusion into a digital library that allowed full-text searches, preservation of digitized works, and access for people with print disabilities violated copyright law. The court found that: Library scanning works to make them available is fair use, and that searching the full-text of works is fair use. In response, the plaintiffs have filed an appeal.

Freedom of Information Act

The American Library Association recently signed on to an amicus brief in the United States Supreme Court case of McBurney v. Young. This is a case that is looking at the Freedom of Information Act (FOIA) rights of noncitizens in Virginia. Currently the Virginia Freedom of Information Act contains a citizens-only clause that allows the state to refuse to provide noncitizens with material in response to a FOIA request. As the amicus brief states, "Such citizens-only restrictions in open records laws have a concrete, detrimental impact on noncitizens' fundamental rights, including the rights to pursue common callings, reside and purchase property in other states, and participate in political advocacy".

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

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

ALA Joins Coalition to Protect Library Lending Rights

On October 23, 2012, the American Library Association joined—as a founding member—the Owners' Rights Initiative—a coalition of retailers, libraries, educators, Internet companies and associations working to protect ownership rights in the United States. The coalition was formed to champion "first-sale rights," or ownership rights, was taken up by the U.S. Supreme Court in the case of Kirtsaeng vs. Wiley & Sons, Inc. on October 29, 2012. The Supreme Court's decision could have adverse consequences for libraries and call into question libraries' abilities to lend books and materials that were manufactured overseas.

ALA with LCA Hosts Copyright Strategy Meeting

In November, the ALA Washington Office staff hosted as part of the Library Copyright Alliance, a meeting in Washington, DC, to discuss copyright-related trends in the library world. The group strategized on issues currently facing the library community and discussed coalition-related activities, legislative efforts, and advocacy outreach regarding library copyright issues.

ALA Participates in Women in Government Relations Conference

On December 3, 2012, ALA Grassroots Coordinator Ted Wegner served on a panel at the Women in Government Relations' Annual Conference titled, "Creating Balance in and Unbalanced Political World." Wegner spoke about ALA's use of Mobile Commons, an advocacy tool for mobile phones, at a session called, "Grassroots Balance: Preparing Advocates for the 113th." He discussed how the ALA continues to make use of new technology to make advocacy easier and more accessible for members. Anybody can sign up for text message updates from the ALA Washington Office by texting "library" to 877877.

ALA and the National Coalition on Literacy

Since October the ALA Office of Government Relations has been worked very closely with the National Coalition on Literacy (NCL). OGR Assistant Director Jeff Kratz oversees the ALA's involvement with NCL as he serves as a board member and vice-president of the coalition. From December 5-6, 2012, ALA hosted NCL's fourth quarter board of directors and members meeting. As part of the meeting, NCL prepared for the 113th Congress by discussing issues relating to adult literacy. In the near future, ALA will also assist with the NCL's 30th Anniversary Capital Campaign Dive, helping the organization to raise $25,000. The coalition will use this money for both programming and administrative uses.

No-Charge Advocacy Webinars

The Office of Government Relations offered several webinars, including: "Using D.C. Insider Secrets to Save Your Library," "They've Got to See it to Believe It: Getting Decision Makers Into Your Library," and "Education, Advocacy Lobbying – Oh My!: What's Allowed (and What's Not) When Reaching out to Elected Officials," and "Election Update and Connecting with the New Congress." In November, the Office of Government Relations presented, "Election Update and Connecting with the New Congress," a free advocacy webinar. This session, led by OGR consultant and advocacy guru Stephanie Vance, offered a recap of the 2012 elections and provided tips on how to have an impact on new and returning Members of Congress. Examples include: ways to find out more about your legislators, creating an action plan for the upcoming year, and how to work with Congressional staff. All OGR webinars are archived on the Washington Office blog, the *District Dispatch*, and can be viewed at any time for no cost.

Google Book Search Case

In October, the Association of American Publishers announced they reached a settlement in their lawsuit filed in 2005 against Google, Inc. (the lawsuit was brought by authors who alleged that Google violated copyright by scanning books to create Google Book Search, a search tool similar to its Internet search engine). Since the settlement only applies to the five publishers, questions remain since the orphaned works situation (when copyright holders cannot be identified or located) is not yet resolved within Google Books.

Washington Office Prepares for National Library Legislative Day

OGR has begun to plan for the 2013 National Library Legislative Day (NLLD). The 2013 event will be held May 7-8, 2013, at the Liaison Hotel in Washington D.C. with a reception on Capitol Hill. As planning for NLLD has increasingly become a year round activity, preparations are already being made to ensure NLLD remains one of the premier advocacy events for the ALA. Using the past two year's attendance numbers as a guide, OGR is expecting more than 375 participants for the 2013 event. Event and hotel registration will be open by Midwinter. All NLLD information, including registration, can be found at www.ala.org/nlld.

Office of Government Relations Host Webinars

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

President Obama Nominates Former ALA President Camila A. Alire to Administration Post

In June, President Barack Obama nominated Camila A. Alire, dean emerita of both the University of New Mexico and Colorado State University, to the National Council on the Humanities. The Senate must confirm Alire's nomination before she can begin her advisory post.

As a National Council on the Humanities Member, Alire will join the board of twenty-six distinguished private citizens appointed by the president and confirmed by the Senate in advising the chairman of the National Endowment for the Humanities. From 2009 to 2010, Alire served as the president of the American Library Association.

CRS Resolution Introduced in the House

In July, advances were made in improving transparency in the federal government. Reps. Mike Quigley (IL-5) and Leonard Lance (NJ-07) introduced the Congressional Research Service Electronic Accessibility Resolution of 2012 (House Resolution 727), a resolution that creates a publicly available database of Congressional Research Service (CRS) reports and would thereby "enhance our democracy to provide citizens with access to unbiased and accurate CRS documents on legislation and other critical issues before Congress". This bipartisan resolution would provide public access to all CRS reports that do not contain confidential information (in some cases redactions could be made to allow portions of reports to be released). The resolution would provide access to those who fund this research –the public. The American Library Association commends Reps. Quigley and Lance, as well as the resolution's co-sponsors; Reps. Jim Cooper (TN-5), Timothy V. Johnson (IL-15) and Adam B. Schiff (CA-29), for taking this important step to increasing transparency and improving access to publicly funded government information. The ALA strongly supports this resolution and will work towards its passage.

ALA Supports Vote 411

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

Department of Education announced Federal School Literacy Grants

While the filing period for the Innovative Approaches to Literacy Program (IAL) school literacy grants is now closed, the ALA encouraged school librarians to apply for the program grants, (which ranged from $150,000–750,000) while the application window was open. At least 50 percent of the $28.6 million is designated for school librarians. The literacy grant program is designed to support innovative literacy programs for young children, increase student achievement by using school libraries and motivate older children to read. According to the Department of Education, the grants are to be used to "develop and improve literacy skills for children and students from birth through 12th grade within the attendance boundaries of high-need local educational agencies."