

ALA lobbies for amendment to ESEA that would approve federal funds for libraries

ALA conducted advocacy for school libraries, issuing an Action Call to ALA members to urge their Senators to support the bipartisan Reed-Cochran “library amendment” to the Every Child Achieves Act of 2015 (S. 1177), a bill to reauthorize the Elementary and Secondary Education Act (ESEA). The amendment, passed by the Senate by a rare vote of 98-0, expressly recognizes school libraries as authorized uses of ESEA funds and the importance of “effective school library programs.” The House’s related legislation lacks this language, so the second phase of ESEA-related grassroots advocacy urges ALA members to contact their Members of Congress to urge their support for including the Reed-Cochran amendment in the final bill.

ALA, ACRL, ARL, and COSLA file amicus brief in net neutrality case

Continuing joint advocacy begun in early 2014, ALA, ACRL, ARL, and COSLA argued in support of the Federal Communications Commission’s strong, enforceable rules to protect and preserve the open Internet with an amici filing on September 21 with the U.S. Court of Appeals for the District of Columbia Circuit. Oral arguments are scheduled for December 4, 2015, in the case of *United States Telecom Association, et al., v. Federal Communications Commission and United States of America*.


Open access legislation clears key Senate committee

After many years of effort by ALA members and the open access community, the Fair Access to Science and Technology Research Act of 2015 (FASTR) was approved unanimously in late July by voice vote of the Senate Committee on Homeland Security and Governmental

Affairs. With the strong backing of Committee Chair Ron Johnson along with the Senate’s second-ranking Republican and the bill’s lead sponsor, John Cornyn (Texas), S. 779 is expected to come before the full Senate before year’s end. Most recently the bill received a score of zero from the Congressional Budget Office (CBO), meaning that the bill will not cost the government money to implement, if enacted. This significant ruling by CBO, it is hoped, will assist OGR in its ongoing efforts to secure additional support for FASTR from Members of Congress who have not yet taken a position on the bill.

Extended collective licensing

The deadline for public comments on the U.S. Copyright Office’s proposed five-year pilot for an extended collective licensing (ECL) closed October 9, 2015. Under the Office’s proposal, a collecting society would be established to sell licenses to libraries for the use of full-text digital access to books. The collection of books available would be those created by libraries or other entities, such as HathiTrust. Currently, HathiTrust does not provide full-text access to its collection. If HathiTrust wanted to provide full-text access (they do not), then the collecting society could collect royalty fees for access so monies collected would be distributed to rights holders. The society would also sell licenses to orphan works whose rights holders cannot be located.

The Library Copyright Alliance (LCA) is opposed to the pilot because it is impractical and not good public policy. Asking Congress to draft a law to establish a five-year pilot to test ECL, is a nonstarter. LCA opposes paying license fees for uses of digital content that may be fair use and is opposed to a collecting society accepting funds for the use of orphan works that are unlikely to go to appropriate rights holders. Comments on the proposal from LCA and others can be found at <http://copyright.gov/policy/massdigitization/>. 

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