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**TO:** Board of Directors  
**FROM:** Ann Shea, Chair, Public Policy Advisory Council  
**DATE:** 14 December 2009  
**RE:** Public Policy Activities Update

Public Policy moved forward with a brisk pace from June through December 2009. Of the many activities, the most prominent was joining the newly formed Open Book Alliance. The Open Book Alliance website was officially launched on 26 August 2009. SLA's goal is to ensure that any mass book digitization and distribution system addresses those extremely important issues, and that access to such valuable information remains open and competitive. We are also looking for additional answers on how the settlement will achieve a fair and accessible system. As with any important legal decision that may threaten the accessibility of information to the public, SLA believes it should be grounded in sound public policy, be mindful of the long-term benefits for the greater good, as well as take into consideration input from the public and important stakeholders. Joining the alliance provided SLA with an opportunity to have its questions and concerns addressed with a more powerful voice that would have not been possible alone.

The following items are an overview of some of SLA's key public policy activities in since June 2009.

--Derek Slater, policy analyst with Google, met with staff at SLA headquarters to discuss and address various concerns that have been voiced by SLA members over the Google Book Search Settlement.

---At the Public Policy Update session at SLA2009, Dan Clancy, engineering director, Google Book Search, provided an overview of the scope of the Google Book Search Settlement Agreement and addressed various concerns and questions from audience members on a number of topics, including: orphan works, institutional pricing, privacy, and intellectual freedom. Google representatives have been meeting individually with library associations, as well as other groups, to answer questions and address issues.

--Provided the U.S. Copyright Office response to questions on exemptions for DVD clips. Comments were made on the issue of exemption to prohibition circumvention of copyright protection systems before the U.S. Copyright Office. SLA reiterated the request from the hearing statement, and asked that the exemption granted to faculty in media and film studies programs after the 2006 rulemaking proceeding be broadened to faculty of law and the health sciences, and that the exemption be extended to include lawfully-acquired copies from any source permitted by 17 U.S.C. § 110 (1).

--The Open Book Alliance submitted a letter to the House Judiciary Committee, urging it to carefully review and scrutinize the proposed Google Book Settlement and its implications for authors, copyright holders, schools, libraries and the public. The letter was delivered to House Judiciary Committee chairman Rep. John Conyers and Committee member Rep. Lamar Smith in advance of the hearing scheduled for 10 September concerning the proposed settlement. The letter was signed

by more than 20 organizations, including all 11 members of the Open Book Alliance, showing the breadth and depth of opposition to the proposed settlement.

--The Open Book Alliance filed an amicus brief on 8 September with the United States District Court for the Southern District of New York countering the proposed settlement between Google, the Association of American Publishers (AAP), and the Authors' Guild.

--SLA sent a letter supporting strong net neutrality rules to the Chairman of the Federal Communications Commission (FCC). The letter supports the recent announcement that the FCC will begin a public proceeding that will ensure an open and nondiscriminatory Internet.

--Sent a letter to President Obama expressing concerns about the lack of transparency and openness surrounding the negotiations on a new Anti-Counterfeiting Trade Agreement ("ACTA"). The letter applauds President Obama's promise of a more transparent, collaborative and participatory government. However, multiple aspects of ACTA fail to meet Open Government Initiative standards.

--Sent a letter to U.S. House of Representatives John Conyers, Jerrold Nadler and Bobby Scott to express support for H.R. 3845, the USA PATRIOT Amendments Act of 2009. This important legislation would protect the privacy of library users by raising the standard for Section 215, the so-called "library provision" of the USA PATRIOT Act.

Respectfully submitted,  
Ann Shea, Chair  
Public Policy Advisory Council

Committee Members:  
Ann Shea, Chair (2006-2009)  
Neil Infield (2006-2009)  
Richard Huffine (2008-2010)  
Barbara Folensbee-Moore (2008-2010)  
Anne Barker (2009-2011)  
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