

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of:

Examination of the Future of Media and) GN Docket No. 10-25
Information Needs of Communities in a)
Digital Age)
)

**COMMENTS OF THE AMERICAN LIBRARY ASSOCIATION
IN RESPONSE TO THE PUBLIC NOTICE ON THE FUTURE OF MEDIA AND
INFORMATION NEEDS OF COMMUNITIES IN A DIGITAL AGE**

The American Library Association (ALA), the world's oldest and largest professional library association, is pleased to provide comments on this Public Notice seeking comments on the future of media and community information needs.

Many of the issues raised in this public notice are of central concern to all libraries in this nation. Notably, 16,600 public library outlets have it as their specific mandate to serve the information needs of their local communities.¹ For instance, nearly 100% of public libraries now serve as community access points to the Internet.²

Public libraries have the principal responsibility for serving the information needs of their local communities, and many of our comments below will be focused on that perspective. But it is important to keep in mind that other types of libraries serve the information needs of more specialized but important communities. For example, school libraries and community college and college libraries provide information access to significant numbers of local part-time and full time faculty and students. More broadly, many academic libraries, government libraries, and many special libraries that are part of other organizations such as museums, make some of their digital collections freely available over the Internet. These collections are now more accessible and are no-fee sources of credible information. These libraries have very similar concerns and perspectives to those expressed in these comments, albeit focused on the particular needs of the special communities they serve.

In addition to providing Internet access through workstations and wireless networks, libraries provide value-added information services to Internet users in

¹ Henderson, E., et al. (2009). *Public Libraries Survey: Fiscal Year 2007* (IMLS-2009-PLS-02). Institute of Museum and Library Services. Washington, DC. Available:

http://harvester.census.gov/imls/pubs/Publications/fy2007_pls_report.pdf.

²http://www.ala.org/ala/research/initiatives/plftas/2008_2009/librariesconnectcommunities3.pdf.

their communities—such as formal and informal computer and technology training, reference and research guidance, acquisition of expensive commercial digital resources, and access to their own digitized local historical collections and community information.³

Given the responsibility of libraries to provide high-quality information access and services to their communities, and consequently their deep immersion in the rapidly changing digital media environment, ALA is pleased to offer these comments in response to the Commission's inquiry.

Overview

Previous ALA submissions

Because libraries are so deeply affected by changes in information technology, as discussed above, ALA has frequently offered comments over the years on Commission inquiries on the topics of broadband, technological change, and information services. We point in particular to two recent submissions made in response to Public Notices 16 and 18. These comments reference dockets not mentioned at the end of this Notice, and we hope that the Commission will include these dockets (09-47 and 09-137), including the ALA responses, in their review.⁴

Library perspectives

Many of the issues raised in this Notice address the impact of change from the perspective of the media. They express concerns raised by the recent Knight Commission report that the news media is undergoing an inevitable shift from print to digital formats. Thus, many of the questions in the Notice arise from concern about the future of the traditional news media and the journalistic professions. They ask whether the information needs of communities that have been met in the past by traditional news media will be met in the future.

Libraries, on the other hand, view these potential transformations from the particular perspective of consumers and access providers, a perspective that is particularly pertinent to the first section of the Notice. As the Notice points out, changes in media can affect both the information needs of the communities libraries serve and the ability of libraries to serve the needs of those communities.

For decades, libraries have been dealing with the effects of technological changes in information media that have altered how information is collected, stored, and exchanged. Equally important for libraries, these technological changes result in

³http://www.ala.org/ala/research/initiatives/plftas/2008_2009/librariesconnectcommunities3.pdf.

⁴ <http://fjallfoss.fcc.gov/ecfs/document/view?id=7020350516> and <http://www.wo.ala.org/districtdispatch/wp-content/uploads/2009/12/Libraries-Economy-FCC.pdf>.

new organizational and economic models for making information available to the public. In theory, the transformation promises great opportunities for libraries. In the digital world of the future, small public libraries serving remote, rural areas should be able to provide to their community immediate access to every work ever created. However, difficult barriers exist to realizing this vision, and these issues will be discussed briefly below.

We start by pointing out a few key characteristics of media change as it affects libraries:

1. An overwhelming and rapidly growing quantity of information is available to and consumed by Americans. A recent report from the Global Information Industry Center of the University of California, San Diego estimates that the average person consumes thirty-four gigabytes of information on an average day and that consumption of information is growing at about 5.4 percent per year.⁵ A principal challenge for both journalists and libraries in quite different ways is dealing with this digital “fire hose,” filtering out the noise and making information credible, accessible, and useable for people in the communities they serve. Publishers and other content creators have accomplished this mainly through their editorial function, while libraries have traditionally done this through such mechanisms as acquisition policies, research and recommendation services, and literacy education—including media and digital literacy. The change to digital media challenges both of these strategies.
2. The shift to digital media may or may not lower the rate of production of particular kinds of information—for instance “community news,” however that might be defined. Some types of community information—movie schedules, town council meeting times, organizational activities, and other such information is generally becoming readily available on the Internet. Other, more analytical information that journalists produce—not just “how” the town council voted, but “why” it voted the way it did—may or may not be more available if local news media go out of business. Some argue that neighborhood blogs and other Internet-based media will grow to fill this role. In either case, public libraries, which have always strived to serve the information needs of their communities, will find this role even more vital to their patrons. As non-traditional news sources become more prevalent, libraries role as an organizer of information will become more critical in order to ensure the public can locate Internet-based media resources—especially over time.
3. Information media and distribution models have not only been changing rapidly, but the rate of change shows no sign of easing with new devices, resources, and applications appearing every day. Libraries, as well as other information institutions such as newspapers, are thus not dealing with a static transition between two states (e.g., from paper to digital formats), but the much more dynamic problem of staying

⁵ http://hmi.ucsd.edu/howmuchinfo_research_report_consum.php.

abreast of a continually and rapidly advancing wave. Furthermore, the complexity and rapidity of these developments mean that predicting trends and planning an organizational response can be difficult for any organization in the information field, including libraries and publishers.

Several key issues that the digital transformation raises for libraries are as follows:

- A. **Cost and budgeting:** When information was fixed on a physical medium—a printed page, a CD or a DVD, for example—the library could buy an item from a fixed acquisition budget and lend it to patrons. However, when information is offered on a pay-per-view basis, it is much more difficult to budget and control costs. At the extreme, libraries faced with such pricing models could be forced to limit patron access to information resources they need.
- B. **Access:** Some information media and products are simply not available for libraries to offer to their users. For example, some e-book providers have developed library lending models, others have not. Furthermore, in the case of lending models that are available to libraries, some publishers withhold their publications from the available inventory. Although these problems may be short-term as organizations in the value chain—authors, publishers, distributors, retail stores, hardware manufacturers, libraries, and library patrons evolve new roles and working arrangements, there is no assurance that such progress will be made.
- C. **User hardware and standards:** Many of the emerging technologies—e-books, smart phones, and other mobile Internet access devices—are based on proprietary standards and vertically integrated markets. This poses two main problems for libraries that provide public access. The first problem is providing access to works on proprietary devices. If different work (e.g., e-books) is available on different reading devices, the library is faced with maintaining multiple inventories of works and patron access is restricted based on the particular devices they are using. The second potential problem is providing remote library information services. If, for example, a public library wishes to offer local community information services on a smart phone by distributing a simple application to its patrons, in many cases it would face proprietary standards and corporate control of access to applications. This problem may be short term as market pressures move the industry toward uniform, open standards, but it is not clear that movement will occur.
- D. **Purchase versus licensing:** In the digital world, content providers have adopted a business model based on licensing rather than sale. One of the important consequences of this model for libraries is that rights to the work are based on the terms of the license rather than on the carefully developed balances of copyright law. Not only do libraries have to deal with managing a variety of different restrictions based on the terms of particular licenses for particular works, but they often find use limitations on the work that undermine existing

provisions in the copyright law such as those for first sale, fair use, and archiving and preservation. Furthermore, libraries are not purchasing the work, per se, but have limited access to the work for a specific time. Many libraries consider preservation and long-term access to works to be core responsibilities; rather than rent content for a limited period of time (and pay for it again once the license has expired); the library wants to be able to purchase electronic content with which to build growing collections. In the past, this decentralized system of preservation has preserved society's knowledge base. It is not clear that a highly centralized system of distribution from commercial providers will provide similar stewardship for the nation's cultural heritage.

Selected Specific Questions

The comments above pertain in general to the issues raised in the Notice. We will briefly comment on a few selected specific questions in the first section of the Notice.

1. What are the information needs of citizens and communities?

In their professional training, librarians learn how to develop their collections and orient their services around the needs of the communities they serve. They are taught to take into account the differing needs and tastes of members of the community (e.g., children, youth, seniors, and individuals with disabilities and, in many communities, multicultural needs). Libraries also need to serve the increasing number of media formats that are available, but this has been more difficult for reasons described above. Thus while libraries continue to understand the information needs of their communities, there is no general comprehensive answer to what format for what type of information is best suited to meet individual needs. However, ALA has collected substantial data about how the public uses information.⁶ Additionally, over the last several years, ALA has submitted responses to Commission Notices (including the two more recent ones listed above) that describe this data in some detail. We will not repeat it here.

In summary, the statistics show that users at libraries access the Internet for such purposes as seeking and applying for jobs, locating health information, interacting with local, state, and federal government agencies, finding financial advice, and seeking educational opportunities or completing classroom assignments, among other uses. Most libraries also serve small businesses in their community by providing the information resources they need to establish, manage, and grow their businesses. Libraries in areas that have large multicultural populations identify and provide access to materials particularly relevant to those groups, for instance, by subscribing to electronic versions of newspapers from their homelands. Research has also documented the response of libraries to the extraordinary public demands

⁶http://www.ala.org/ala/research/initiatives/plftas/2008_2009/librariesconnectcommunities3.

placed on them in the event of critical emergencies—hurricanes, earthquakes, wildfires, for example.⁷

Beyond the Internet, many libraries provide access to the broad range of digital media, although as pointed out above, barriers exist, particularly for some media such as e-books.

In terms of community news, as was stated above, although journalists and librarians are both concerned with informing the public, their roles are quite different. In general, librarians acquire resources and help patrons find the information they need, while journalists produce information of interest to the community they serve. In some cases, information such as stock market quotes, movie schedules, or information about community events, is readily available on the Internet, and libraries can point their users who wish access to appropriate sites. Librarians do not do investigative reporting, analysis, or promote particular editorial positions. Thus, if local newspapers and journalists stop providing such information, the public could lose access, unless alternative digital sources arise within the community. But that, too, would vary by community.

3. How do young people receive educational and informational media content?

There is a great deal of research on youth and the new media. In particular, the Pew Research Center and the John D. and Catherine T. MacArthur Foundation have excellent programs studying youth and digital media that have resulted in numerous studies and reports. The Commission should incorporate these materials into their deliberations in this Notice.⁸

Librarians are concerned with two particular issues:

- **Access:** The public library is an Internet access point of first resort for young users. In particular, many young people have no high-speed access at home and turn to the library for completing school assignments, social networking, and other uses such as gaming. For most libraries that experience connectivity problems, the most congested times are the hours immediately after school hours. In some cases, libraries report that they must curtail staff administrative use of the Internet during those times to avoid unacceptable congestion. Thus, the price of inadequate library connectivity falls particularly heavily on young users.
- **Information literacy:** Since the earliest days of the digital revolution, public, school, and academic libraries have assumed the burden of training users in digital media literacy. This training encompasses not only the basic skills of

⁷ <http://www.ii.fsu.edu/content/view/full/13881>

⁸ See <http://www.pewinternet.org/Data-Tools/Get-The-Latest-Statistics.aspx> and http://www.macfound.org/site/c.lkLXJ8MQKrH/b.946881/k.B85/Domestic_Grantmaking_Digital_Media_Learning.htm.

using computers and the Internet, but more subtle skills of finding information and assessing the credibility of information.⁹

Finally, libraries are highly concerned about how best to provide for the needs of youth for access to the new media, and there are several experiments underway. Of particular interest, because it is so comprehensive and forward looking, is an experiment funded by the MacArthur Foundation at the main branch of the Chicago Public Library. Called YouMedia, the project combines books, laptop and desktop computers, and software that allow users to create and repurpose content to create what the Library calls “an innovative, 21st century learning space ... to connect young adults, books, media and institutions throughout the city in one dynamic space designed to inspire collaboration and creativity.”¹⁰

5. What roles should libraries and schools play in supporting community information flow?

Policy makers tend to think of the role of libraries strictly in terms of access. Certainly, nearly all public libraries in the U.S. consider providing Internet access to be a core service function, and the public has come to expect to walk in the door of their local library and have access to a desktop or use their laptop computer on a free wireless network.¹¹ In many communities, libraries are the only place to offer no-fee Internet access. It should be noted here that library users typically wait outside the library’s door before it opens and rush to the computers in order to be the first to use them. Libraries report long lines and waiting times to use their computers.¹²

However, libraries also have several other roles that are indispensable in making that access effective and add value to the users’ experience. It is important that the Commission, when it considers issues of public access, keep in mind the full range of services necessary to support public use of the new media. These support roles include, but are not limited to the following:

a. Source of information: Many larger libraries of all types hold important collections of documents of national and even global importance, and even small public libraries hold documents, photographs, and sound recordings of historical and genealogical importance to their own communities. These collections are being digitized and made available by the libraries on their web sites, thus making them available widely.

⁹ See [Frances Jacobson Harris](#), “Challenges to Teaching Credibility Assessment in Contemporary Schooling,” in *Digital Media, Youth, and Credibility*, edited by [Miriam J. Metzger](#) and [Andrew J. Flanagin](#), MIT Press, 2007, pp 155-179 for a discussion of integrating credibility into information literacy instruction.

¹⁰ <http://youmediachicago.org/2-about-us/pages/2-about-us>.

¹¹ http://www.ala.org/ala/research/initiatives/plftas/2008_2009/librariesconnectcommunities3.pdf

¹² http://www.ssrc.org/workspace/images/crm/new_publication_3/{1eb76f62-c720-df11-9d32-001cc477ec70}.pdf.

Some public libraries, for example, have created small business centers to provide specialized help to business owners as they search for loans, marketing or financial advice, information on export rules and regulations, and to develop widespread markets for their services.¹³ These libraries are incorporating local resources and information with specialized databases for business research.

b. Navigation, organization, and selection: The typical web search on a site such as Google, usually leads to thousands if not millions of hits. Users with very precise information needs may or may not stumble across what they are searching for on the first few pages of the response, and often rely on library recommendations and reference advice to find information they need. Librarians are trained to assist users in fine-tuning their search strategies in order to locate the most pertinent resources.

For example, users who need to engage with a government agency for services may not even know the name of the agency they are looking for, and, as libraries learned during the introduction of Medicare D, when they do find the site, users may need substantial help in making their way through complicated processes to complete their transactions. Many public libraries now organize community and subject information so that library users can find what they want more easily. Librarians are also increasingly mediating users' searches seek, and are helping them navigate successfully through the results.

c. Acquisition: Contrary to a popularly held view, all information on the Internet is not free. In fact some of the most valuable and useful information resources can be quite expensive, and acquisition of digital resources—applications, databases, digital images, and on-line magazines and journals has become a significant part of most library budgets. As one example, a public library system in the San Francisco Bay Area reports that they spend about \$1.5 million per year on digital resources for the libraries in their consortium.¹⁴ Academic libraries experience similar or even greater financial strain as rates for digital scholarly journals grow ever higher.

d. Training, literacy, and quality assessment: The information literacy programs, including digital literacy, referred to in reference to Question 3 are not limited to young people. Libraries offer training tailored for the general public and special populations (e.g., job-seekers, beginning computer users, seniors, and non-English speakers) within their communities.

6. What are the best examples of government using new media to provide information to the public?

From the establishment of the Federal Depository Library Program in 1813, libraries have always played a key role in providing access to government

¹³ For examples of libraries supporting economic development and worker training see: 10 <http://www.brooklynpubliclibrary.org/business/> and <http://www.cuyahogalibrary.org/careerexpert.aspx>. See also, Stafford, Diane. (June 11, 2009). *Library's new Business & Career Center offers wealth of resources*. The Kansas City Star, Section A; pg. 12.

¹⁴ Peninsula Library System is a consortium of 35 public and community college libraries <http://www.plsinfo.org/>.

information by archiving and making publicly available federal documents which is still an important function.

The digital transformation has changed and expanded the traditional role of libraries in many ways far beyond search and recovery of federal documents.

1. All libraries provide the public with access to government digital data on their public access terminals and reference librarians help users identify the information for which they are searching.
2. Governments at all levels, including local communities, provide access to their information on the Internet.
3. Beyond access to information, government agencies at all levels are bringing transactions on line—obtaining and renewing licenses, scheduling appointments, filing tax returns, and applying for unemployment benefits, for example. While some of these electronic interactions still permit paper-based transactions, governments are moving toward requiring internet-based transactions.
4. Governments are experimenting with what is called e-Government 2.0, a term that generally refers to (a) using more advanced social networking technologies to enhance citizen/ government interactions, (b) providing data in standard open formats that can be used by commercial and non-profit application developers to provide enhanced services to the public and (c) providing transparency of government actions by putting government actions online.
5. Because of these developments and because public libraries are, themselves, generally local government agencies, they find themselves at the forefront of providing public access to government information and services. For information and services of the federal government, responsibilities for citizen access and support are being shifted to public libraries without corresponding resources to perform this additional work.

These developments create not only heavy new demands for library connectivity, but raise expectations that library staff will be available and able to guide users through the government services they need. ALA and researchers have been studying the impact of e-government on libraries and the new roles they are expected to play.¹⁵ According to a recent ALA report, two-thirds of public libraries provide assistance to patrons completing government forms; and one in five public libraries is partnering with other agencies to provide e-government services.¹⁶ As many governments move to providing their resources online to save costs and increase efficiency, librarians are providing the missing and necessary human support for people navigating often complex government forms and websites.¹⁷ALA

¹⁵ cf. Gibson, A. N., Bertot, J. C., & McClure, C. R. (2009). Emerging role of public librarians as E-government providers. In R. H. Sprague, Jr. (Ed.), *Proceedings of the 42nd Hawaii International Conference on System Sciences*, 1-10.

¹⁶http://www.ala.org/ala/research/initiatives/plftas/issuesbriefs/issuebrief_perfectstorm.pdf.

¹⁷http://www.ssrc.org/workspace/images/crm/new_publication_3/{1eb76f62-c720-df11-9d32-001cc477ec70}.pdf.

has also published an Issue Brief that describes the library perspective on E-government in more detail.¹⁸

10. How should FCC policies change?

From a library perspective, responding to the digital transformation touches a wide range of Commission policies. Rather than survey them all, we will highlight five general areas here and identify key recent ALA comments to the Commission on those topics. ALA believes that the Commission should:

- **Establish a national broadband policy:** The rapid digitization of media has made ubiquitous and affordable public access to high-speed digital communications a requisite, not an option. This is no less important today than when Congress, in the Communications Act of 1934, established the Commission and charged it with making available “to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nationwide, and world-wide wire and radio communication service with adequate facilities at reasonable charges.” ALA calls for a national broadband policy with goals no less ambitious.¹⁹
- **Raise the E-rate cap:** Libraries are and will for the foreseeable future be essential public access and service points to digital services and media. The E-rate is vital to libraries by making telecommunication services more affordable. In the current harsh economic climate, many libraries find that their bandwidth is no longer adequate. In order to support increasing capacity, many libraries—and likely an increased number of libraries—will need to request a larger discount from the E-rate program than in the past as higher capacity service will result in higher on-going costs. The \$2.25 billion cap is insufficient to meet an increase in requests for Priority One services. Additionally, the infrastructure necessary to support higher capacity bandwidth may not be in place in many libraries. We are likely to see a need for more Priority Two requests which the current cap cannot support. The current E-rate fund is insufficient for the investment needed for libraries to transition to the advanced services they now require.²⁰
- **Assure openness and neutrality of distribution channels:** ALA understands that service providers need to manage and even prioritize the traffic in their networks in order to optimize performance. However, ALA also firmly stresses the need to avoid price or technological barriers that discriminate against equitable access to resources on the Internet or that protect existing distribution and business models at the expense of new, innovative approaches.²¹
- **Resist pressures to regulate technological controls on content access:** Although technological controls are promoted as ways to protect copyright, in

¹⁸ <http://www.ala.org/ala/research/initiatives/plftas/issuesbriefs/IssuesBrief-Egov.pdf>.

¹⁹ <http://fjallfoss.fcc.gov/ecfs/document/view?id=6520219852>.

²⁰ <http://www.wo.ala.org/districtdispatch/wp-content/uploads/2009/11/E-Rate-comments.pdf>.

²¹ <http://www.wo.ala.org/districtdispatch/wp-content/uploads/2010/01/ALA-NN.pdf>.

reality they are usually imposed to protect contract and licensing terms (See our comments above on the trend toward licensing.) The rights and exceptions expressed in Copyright law are far too subtle and subjective to be incorporated in computer algorithms. Technological protections prevent uses beyond those proscribed by copyright law and, thus, inevitably encroach on fair use and other limitations and exceptions. Furthermore, if imbedded in the information infrastructure by regulation and law, they risk controlling access to uses of other works not even covered by the licenses. Ultimately, technological controls that are intended to protect business models can ultimately impede innovation and the development of new products.²²

Include libraries in any new national initiative to upgrade broadband infrastructure: Libraries are widely acknowledged as a critical provider of broadband access in their communities. In 71% of communities the library is the only provider of no-fee access to the Internet.²³ Many libraries report an increased demand for their online resources—for job searches, e-government, continuing education, and more—which is taxing library network capacity. This new demand coupled with state and local budget cuts jeopardizes the ability of many libraries to continue to meet the information needs in their communities.

Libraries are in virtually every community across the nation.²⁴ Providing anchor institutions such as the library with high capacity broadband service will result in greater broadband availability and bring service to areas where availability is currently inadequate.²⁵ Moreover, libraries—as is true for other community anchor institutions—will need much increased broadband capacity to support the critical new applications that will be forthcoming in the future. The critical role libraries play in connecting communities needs to be reflected by support in new national broadband initiatives, including high-capacity infrastructure build-out.

Libraries have a unique role in their communities as providers and curators of information. As the Commission examines the future of media and information needs of communities in the rapidly changing digital climate, ALA respectfully urges the Commission to consider the impact of their findings and subsequent recommendations on libraries.

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Respectfully Submitted,

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²² <http://fjallfoss.fcc.gov/ecfs/document/view?id=6513394836>.

²³ http://www.wo.ala.org/districtdispatch/wp-content/uploads/2009/12/ALA-NBP-Public-Notice-16-12_2_09.pdf.

²⁴ http://harvester.census.gov/imls/pubs/Publications/fy2007_pls_report.pdf.

²⁵ http://www.ala.org/ala/aboutala/offices/oitp/PDFs/fiber%20brief_%20published.pdf.