

MINUTES
U.S. National Commission on Libraries and Information Science
Library of Congress
Washington, DC

December 12-13, 1996

Commissioners Present	Jeanne Hurley Simon, Chairperson; Martha B. Gould, Vice Chair; Shirley Adamovich; C. E. "Abe" Abramson; Walter Anderson (12th only); James H. Billington; Joan R. Challinor (12th only); Diane Frankel (12th only); Mary Furlong; José-Marie Griffiths (13th only); Commissioner-Designee; Frank Lucchino; Bobby Roberts; Gary Sudduth; Winston Tabb, serving for Dr. Billington (12th only); Joel Valdez, and Robert Willard
Commissioners Unable to Attend	LeVar Burton; Carol DiPrete
Staff Present	Peter R. Young; Mary Alice Hedge; Kim Miller; John G. Lorenz; Jane Williams; and Barbara Whiteleather, Recording Secretary
Guests/Observers Present:	Richard Akeroyd, Connecticut State Librarian; Sherman Banks, White House Conference on Library and Information Services Taskforce (WHCLIST); Beth Bingham, Liaison, White House Conference on Library and Information Services Taskforce (WHCLIST); Chris Hedrick, MicroSoft Libraries Online Projects (via speakerphone); Bridget Lamont, (New Liaison, Chief Officers of State Library Agencies (COSLA); Carol Henderson, Liaison, American Library Association (ALA); Peyton Neal, Liaison, Information Industry Association (IIA); Marybeth Peters, Reigster of Copyrights, Library of Congress

Thursday, December 12, 1996

10:00 a.m. - 5:15 p.m.

Opening Comments

Chairperson Simon welcomed the Commissioners, staff, guests, and observers and introduced Diane Frankel, Director, Institute for Museum and Library Services (IMLS). With the passage of Public Law -104-208 on September 30, 1996, the Museum and Library Services Act, the IMLS Director serves as a non-voting, ex officio Member of the Commission.

The Chairperson briefly described the meeting held the previous day, December 11, coordinated by the American Library Association (ALA), the Chief Officers of State Library Agencies (COSLA), and NCLIS. The day-long meeting called, "A Conversation with Diane Frankel," served as a first step toward introducing Ms. Frankel to the people, the organizations, ideas, and issues of the library and information services community relating to the creation of the IMLS. Chairperson Simon and Commissioners Abramson, Adamovich, Challinor, Furlong, Gould, Lucchino, Sudduth, and Valdez attended the meeting. Ms. Frankel expressed her appreciation for the meeting and stated that she looks forward to working with ALA, COSLA, and NCLIS on important issues as the IMLS begins to take shape.

Because of the forecast for bad weather throughout the United States, several discussion items on the draft meeting agenda were shifted to allow some Commissioners to leave early on Friday and to adjourn the meeting on Friday, rather than Saturday, December 14.

MOTION

It was moved by Martha Gould, seconded by Frank Lucchino, that the meeting agenda be adopted with the suggested changes. .

The motion carried.

Commissioner-Designee

The Chairperson stated that the President announced his intention to nominate José-Marie Griffiths for appointment to the Commission. Her nomination will be submitted to the Senate for confirmation. Dr. Griffiths is the new Chief Information Officer at the University of Michigan, where she is also the Executive Director of the Information Technology Division. [Dr. Griffiths attended the NCLIS meeting on Friday, December 13.]

COSLA Liaison

Chairperson Simon announced that Bridget Lamont, Illinois State Librarian, has been named as the new NCLIS Liaison for the Chief Officers of State Library Agencies (COSLA), replacing Richard Akeroyd, Connecticut State Librarian.

Chairperson Simon presented an NCLIS Resolution to Mr. Akeroyd expressing the Commission's appreciation for his past service as NCLIS Liaison for COSLA. A copy of the Resolution is attached (Attachment I).

Mr. Akeroyd expressed appreciation for the Resolution stating, "I have been a long-time advocate of the Commission and its work. I have enjoyed the past years as the COSLA representative, and I know that Bridget Lamont, Illinois State Librarian, will make an excellent representative. I am very excited about the events that are unfolding regarding the IMLS legislation and hope that I will feel welcome to participate in future NCLIS meetings." Ms. Lamont stated that she was pleased to be the new NCLIS Liaison for COSLA and looks forward to attending future meetings.

Approval of NCLIS Minutes

◆ NCLIS Meeting, San Francisco and San Diego, CA, July 19-23, 1996

P. 17, 4th paragraph, 6th line: Change "Layman" to "Lehman."

P. 23, Omnibus Patent Act of 1996. Mr. Willard noted that the minutes did not capture the discussion and requested the inclusion of the following as the final paragraph:

Mr. Willard warned that, in the absence of any information from proponents of the measure, our resolution against it may be premature. "In the end, I might well support the resolution and oppose the legislative proposal, but at this point, I don't have enough information," he stated.

◆ NCLIS Telephone Conference Call, November 21, 1996

P. 1. Correct notes to show that Frank Lucchino participated in the call.

P. 2, 4th line from the bottom. Correct "Wednesday, 12 December" to "Thursday, 12 December."

Chairperson's Comments

This year, 1996, has been very different from 1995; it has been a very positive year. NCLIS is in a much better financial position with many new projects and plans in place. P.L. 104-208, the Museum and Library Services Act, and the Interagency Agreement with the Government Printing are very exciting programs for us.

Chairperson Simon stated, "We are not a Commission that just writes reports and sends them off. We are a Commission that gives advice and takes action, and that advice is listened to. We are having an effect on the national government, and we expect to continue."

Executive Director's Report

The Executive Director's Report, dated 10 December 1996, was included in the NCLIS meeting notebook, Tab B. The report covered: (1) Meetings and Commissioners' activities, November through mid-December; (2) Library Services and Technology Act (LSTA) and Institute of Museum and Library Services (IMLS); (3) Government Printing Office (GPO) and Transition to Electronic Dissemination for the Federal Depository Libraries Program (FDLP); (4) Library Statistics Program; (5) Public Library-Internet Connectivity; (6) Intellectual Property Policies, Copyright, and Fair Use; (7) NCLIS Administrative Matters; (8) Issues and Trends to Watch; (9) Summary of Report on *Global Summit on Distance Education*; (10) Future Activities, Events, and Meetings of Concern to NCLIS; and (11) Concluding Thoughts.

Referring to a conceptual framework for the evolution of a global networked information society (#8, Issues and Trends to Watch), Commissioner Furlong suggested this issue calls for a "narrow cast and high-quality framework". "We may not know the answers, but we need to know the questions. We need to think in Web-time," she urged. Commissioner Gould urged, "Do not forget the human element. Unless people know how to use technology, they cannot achieve." Commissioner Willard both agreed and disagreed, stating, "The delivery of technology is only successful if it can be used."

Noting that 1995-96 was a very difficult time for Commission staff in dealing with the three-week furlough and the constant threats of staff layoff, Commissioner Challinor offered the following motion:

MOTION

It was moved by Joan Challinor, seconded by Martha Gould, that the Commissioners recognize the extraordinary loyalty and intelligence with which the staff faced a very difficult time at the end of 1995 and early 1996. The motion carried.

Diane Frankel

Ms. Diane Frankel, Director, Institute of Museum and Library Services (IMLS), expressed her appreciation to the Commission for participating in and organizing the “The Conversation with Diane Frankel” on December 11. She called the meeting a “wonderful first step toward introducing the people, organizations, ideas, and issues surrounding the creation of the Institute of Museum and Library Services.”

Ms. Frankel spoke of the transition of staff, functions, money, and materials from the Department of Education’s Office of Library Programs to IMLS, in accordance with P.L. 104-208, Sec. 4. In addition, Ms. Frankel and Peter Young hold regular meetings to discuss the Commission’s role and responsibilities, as outlined in Sec. 3 of the Public Law:

“SEC 3. National Commission on Libraries and Information Science. . .

(b) The Commission shall have the responsibility to advise the Director of the Institute of Museum and Library Services on general policies with respect to the duties, powers, and authority of the Institute of Museum and Library Services relating to library services, including --

(1) general policies with respect to --

(A) financial assistance awarded under the Museum and Library Services Act for library services; and

(B) projects described in section 262(a)(4) of such Act; and

(2) measures to ensure that the policies and activities of the Institute of Museum and Library Services are coordinated with other activities of the Federal Government.”

Ms. Frankel explained, “Peter and I have an informal relationship; not a formal relationship. In a sense, that means that there is a ‘firewall’ between what the Commission does and what IMLS does. That ‘firewall’ is breached by the fact that I believe we can have a tremendous working relationship, evidenced by the fact that Peter and I have been meeting weekly. I do not work for you, but I work with you. I see myself as staff to this Commission, just as I see myself staff to the National Museum Services Board (NMSB). You have call on my time. The NCLIS staff, however, does not serve you when you are working with me. You will work with IMLS staff in your IMLS role.”

Replying to Commissioner Lucchino’s question, Ms. Frankel stated that there are two primary IMLS issues of concern to the Commission: (1) the State Programs (the money that goes to the States); and; (2) the National Leadership Grant Programs. Ms. Frankel pointed out that P.L. 104-208 calls for the Commission to meet not less than one time each year in a joint meeting with the NMSB for the purpose of providing advice on general policy with respect to financial assistance for joint museum/library projects. Ms.

Frankel noted that the IMLS Board meets in May 1997, thus providing the first opportunity for a joint NCLIS/NMSB meeting.

Discussion centered around the Commissioners' direct responsibilities with regard to IMLS. Attempting to clarify and summarize the Commission's role, Commissioner Challinor stated that it is to keep the IMLS Director apprised of what the Commission thinks needs attention. Mr. Young stated, "This is excellent discussion of policy direction. The question is, 'What form does that policy direction take from the Commission in acting as the board advising Diane?' The language says, 'financial assistance', which I interpret to be broad about all programs. But, as Diane points out, it is formula-driven for state grants. What we don't have is guidance from the law or legislative history about how the states should be using these grants. . . There is a particular reason as to why Diane is now a Member of the Commission -- to engage colleagues in these types of discussions. Another function for the Commission is long-range planning. For example, in five years, this law faces reauthorization, and this reauthorization will be based upon work performed by the Commission in assessing the needs and analyzing the effectiveness of the authorized programs." Commissioner Challinor noted that, for the last ten to twenty years, laws are purposefully written more broadly to allow programs to be flexible enough to accommodate change.

At the Chairperson's invitation, Carol Henderson, Executive Director of the American Library Association (ALA) Washington Office, provided background on how the LSTA authorization was formulated. Congress wanted to simplify the LSCA state-based program and increase flexibility in use of federal funds, e.g., states make their own decisions about funding programs that respond to a specific state's needs. In addition, State Library Agencies' plans have more flexibility to improve library services to the public. NCLIS now has a major opportunity to provide advice and leadership in accomplishing the LSTA goals. Commissioner Furlong thanked ALA for its leadership regarding the LSTA legislation. In addition, she suggested that Issue Dynamics, Inc. (IDI) be requested to develop a feedback box on the NCLIS homepage for input and suggestions from constituents to NCLIS regarding LSTA.

Commissioner Lucchino asked if there is anything in the LSTA legislation "... restricting NCLIS from performing as it has in the past." Ms. Frankel's response was, "No." In defining the Commissioners' NCLIS relationship distinct from its IMLS relationship, Ms. Frankel stated, "The Commissioners will be wearing two hats: One hat has the NCLIS Members working with Peter Young; the other hat has them serving as board members to the IMLS staff on library/museum programs. I believe this responsibility will become much clearer when you review the first joint meeting agenda because, clearly, one day will be devoted to NCLIS Commissioners serving only as IMLS board members."

Chairperson Simon stated, "Being a NCLIS Member and following the dictates of Public Law 104-208 are two very different assignments. We must never let one influence

the other. It might be hard, and there may be times when we are aching to do something based on our knowledge as an NCLIS Member. But, we must keep the two agendas separate.”

Commissioner Abramson asked, “What are the aspirations of the NMSB Members to this transition (marriage) with NCLIS?” Ms. Frankel replied that the Members are enthusiastic, concerned, and willing to make it work. She also remarked that the Members, with 20 years of experience, have demonstrated excellence in eligibility criteria. Commissioner Anderson stated, “What is most important to me is not that the system works, but that people are helped. Do not make the same mistake that the Salvation Army once made. They forgot their goal was to save souls; they thought their goal was to stay in business. Let’s not lose sight of why we are doing this, and let’s remember our purpose -- to accomplish social good!”

Mr. Young noted that the *Ethics in the Federal Government* mandatory annual training session previously scheduled for this NCLIS meeting has been postponed until the next meeting in Washington to allow time for the Office of the General Counsel, Ethics Counsel Staff, at the Department of Education to identify potential conflicts of interest for individual Commissioners that result from Public Law 104-208 and to prepare waivers where needed.

Chairperson Simon appointed the following as “key” Commissioners to work as a Committee on issues related to LSTA and IMLS: Mary Furlong, Frank Lucchino, and Bobby Roberts.

In hopes of establishing an ‘openness’, Ms. Frankel described plans for conducting a *Forum of Museum and Library Big Thinkers* in February 1997. The intent of the Forum is to provide an opportunity to: (1) exchange ideas; (2) hear the issues as they are presented; and (3) open up the way for conversation and dialogue.. Both NCLIS and NMSB Members would be invited as observers. Commissioner Roberts urged that such a Forum identify where commonality now exists among museums and libraries. Commissioners were invited to call Ms. Frankel with any questions.

To assist Commissioners to better understand LSTA grant applications, regulations, and guidelines, Ms. Frankel distributed the following publications:

1. *General Operating Support, Grant Application and Guidelines* (Application deadline, February 14, 1997). IMS.
2. *1997 Museum Leadership Initiatives, Guidelines for Project Proposals* (Application deadline, March 21, 1997). IMS.
3. *Museums in Partnership with their Communities*, 1994.
4. *True Needs; True Partners, Museums and Schools Transforming Education*, 1996. IMS.

During the discussion of national program goals, Commissioner Sudduth stated, "NCLIS' role is now unique. But, how do you know when you have achieved your goals?" Commissioner Furlong suggested digital capturing of the most important historical aspects, cross-referenced by themes, i.e., thematic examples of federal investments. She asked, "What can NCLIS contribute in the next 160 weeks (to year 2000) toward social good? What kind of models can we create? What plans can we have in place to assure that the best projects emerge? How can we provide the infrastructure to make it happen?" Chairperson Simon replied, "This is a challenge, and that is what NCLIS is all about." Commissioner Challinor responded, "The jury is still out on whether you can build community in cyberspace. Be careful in thinking that cyberspace is more than information!"

Federal Information Dissemination Assessment

Mr. Young presented an update on the *Assessment of Standards for the Creation, Dissemination, and Permanent Accessibility of Electronic Government Information Products*. Copies of correspondence regarding the proposal were included in the NCLIS meeting notebook (Tab D) including a copy of a support letter from the American Association of Law Libraries (AALL), also signed by the Association of Research Libraries (ARL) and the Special Libraries Association (SLA). In addition, the ALA Governments Documents Roundtable (GODORT) also put forward a letter of support.

The Government Printing Office (GPO), the Office of Management and Budget (OMB), and Congress' Joint Committee on Printing (JCP) have agreed to the Commission's purpose and parameters in the study based on the 22 July NCLIS Resolution and a draft Interagency Agreement between GPO and NCLIS. At this point, it appears that JCP will support GPO's request to perform this assessment, and we are expecting a letter to this effect shortly. Chairperson Simon and Mr. Young continuously monitor progress toward this proposed study.

Commissioner Challinor quoted from the AALL support letter: "... define the need for a technical analysis to determine the most cost effective way". She cautioned that 'the most cost effective way' is not always the 'most effective way'. Mr. Tabb added that total decentralization will be extremely expensive, and cited the need for an incentive for federal agencies to provide publications to LC in electronic form. Discussion then centered around access via electronic versus paper-based publications, the criteria for users in academic institutions, and the public library's access to government information.

Following discussion, Mr. Young stated, "What is clear here is that the users are changing and the information is changing, as well as the accessibility between the users and the information. And, they are changing in ways that make it hard to track. In a certain sense, federal agencies are required by law to publish annual reports as well as other reports. Some agencies, however, are now placing their reports electronically on

their WWW homepages. As an example, the Commission's July 1996 hearing in San Diego was not printed, rather the transcript was mounted on the NCLIS' homepage. Did that satisfy the public's demand? Will the Commission have to maintain that report on its homepage forever?"

The GPO/NCLIS study will: (1) Address the question of what is happening right now; (2) Address some of the questions of standardization that confuse both the users and depository libraries; and (3) Gather information needed to provide a basis for making recommendations about future policies necessary for the public to gain wider, easier access to publications. Commissioner Gould added that the 'integrity' of the electronically-published document is of real concern.

In response to Commissioner Lucchino's question as to why this project is important, Mr. Tabb replied, in part, "How else can we be sure that government information will be available?"

Dr. Billington stated that the international and global aspects are very important and that most of the world depends exclusively on hard copy, thus increasing the disparity between the 'have's and the 'have not's'. He cautioned that America would be perceived as cutting off a large section of the developing world if we do nothing to assure access to U.S. government information. "We need to help other societies by sharing, and that sharing will have to continue for the next 15-20 years for all the world through hard copy," he stated. Commissioner Challinor agreed that the global aspect is imperative, and asked, "If we go completely digital in this country, to whom will we talk? In many Third World Countries, there will not be anyone to talk to." Chairperson Simon noted that NCLIS' legislative amendments call for ". . . promoting research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national and international communications and cooperative networks."

Chairperson Simon called for individual comments:

- ◆ Commissioner Furlong stated the importance in asking the right questions, i.e., What do we print in digital form? Where does it go? How can we save GPO printing money? How can we make sure that the *Congressional Record* is available in hard copy? In her opinion, the study should go forward to see what can be learned. "There are enough issues to warrant the report. However, it must be put into understandable language, studied, and then tested with different populations with different disparities. In framing how and why we are conducting the study, include such editorial comments as: 'We realize our international goal of communicating information printed during the transition,'" she stated.
- ◆ Commissioner Willard stated that when an original document is reduced to electronic form, it solves preservation problems. He also discussed the need to look for electronic opportunities for the world.

- ◆ Commissioner Anderson stated, "We are in a state of transition which emphasizes why this study is probably a very good idea. This is like journalism -- history on the run - - because it is happening so fast. But, proceed with caution!" He noted that opportunities are increasing to electronically vandalize an artist's work and cited a personal situation.
- ◆ Commissioner Abramson noted that the Federal Government Depository Librarians are in the midst of job security crises.
- ◆ Commissioner Gould agreed, stating, "Do not forget the human element! You must have a knowledgeable human being involved in order to use the equipment and to keep it operating."

The meeting adjourned at 4:15 p.m. An NCLIS Personnel Committee meeting and Executive Session were held from 4:15 to 5:15 p.m.

Friday, December 13, 1996

9:00 a.m. - 9:30 p.m. (working dinner)

Chairperson Simon called the meeting to order at 9:00 a.m., welcoming the Commissioners, staff, guests, and observers. Commissioner-Designee José-Marie Griffiths was introduced and welcomed.

Dr. Giffiths stated that she was delighted to be nominated to serve on such a distinguished Commission. "This is an exciting time to be involved because it is a time of major change for libraries and information services," she stated.

Copyright and Fair Use Update

Marybeth Peters, Register of Copyrights and Associate Librarian of Congress for Copyright Services, Library of Congress, was invited to present an update on copyright and fair use, national and international developments related to copyright, including Conference on Fair Use (CONFU) and the World Intellectual Property Organization (WIPO). Chairperson Simon thanked both Dr. Billington and Marybeth Peters for their successful work on Senator Orrin Hatch's proposal to combine the Copyright and Patent Offices into a U.S. Intellectual Property Corporation.

- ◆ S.1961 -- Dr. Billington stated, "Things happen inadvertently in Washington -- not because someone really intends it -- but because the interested parties do not make their positions clear. NCLIS' Resolution was clear and critically important, especially for the small creative producers in America. The proposed change would have meant a huge rise in the cost of copyright protection. The NCLIS Resolution was a good thing to do, and we thank you."

Ms. Peters also thanked the Commission for passing the Resolution so quickly. She stated that the Copyright Office has been working well within the Library of

Congress for 126 years, and that, further, no one really had supported moving it out of LC. She knew NCLIS cared because she was on the telephone with Dr. Billington during the July 1996 NCLIS meeting in San Diego, CA. LC's efforts to counter the proposal were successful this fall because of the process. "We got through the crises, but the issue has not gone away. It will reoccur. We are monitoring it carefully and expect to call upon NCLIS again for support," she said.

As a final point, Dr. Billington stated that there is argument on the international front that the U.S. will be tougher, and can protect American trade and industry more vigorously, if copyright, patents, etc. are under one roof. "But, this is a fundamental mistake! You are in a much better position to deal internationally if you have the super-specialists in these categories, working full tilt, rather than diverting attention by putting all into one mixer. The American position is much stronger to deal in the 'hot' area of electronics having two separate working groups," he stated.

♦ WIPO/Berne Convention Copyright Treaty -- The World Intellectual Property Organization (WIPO) is holding a Diplomatic Conference in Geneva , 2-20 December 1996, with copyright issues on the agenda.

Ms. Peters explained that after 103 years, the U.S. joined the Berne Universal Convention a few years ago. The purpose of international treaties is to get countries to agree to certain minimal principles so that as goods cross borders, you have some expectation that the protection will be there. Treaties are written in very broad language so that countries can adopt the legislation that fits for that particular country.

The last time the Berne Convention was updated was in 1971, and it is has been updated every 20 years in the past. This year's update is important because various countries are developing different answers to questions involving digital works, e.g., (1) What is a copy?; (2) What is distribution?; (3) Are computer programs protected? If so, in what form? Many meetings have been held to discuss updating of the treaty. In the meantime, a second treaty has been proposed dealing with producers and performers of sound recordings. Within the last year-and-a-half, the words, "digital agenda" have been included.

The Governing Bodies meeting of WIPO decided that there should be a Diplomatic Conference to consider: (1) Updating the Berne Copyright Treaty [treaty I]; (2) Creating a new treaty for producers and performers of sound recordings [treaty II]; and (3) Creating a treaty on databases that are not copyrightable [treaty III]. (Treaty III will be delayed -- work needs to be done in the United States with the affected parties. For example, it has not been discussed by the library and education communities.)

Because of health reasons, Ms. Peters returned early from Geneva. She stated her belief that agreement will be reached in the days ahead. However, the treaty agreements will be extremely flexible, and countries will have a great deal of freedom. The

agreement will not be everything that the U.S. wants; it will be much broader than you would see in U.S. law (to accommodate all of the countries and systems). Treaties I and II are a package deal; they must go forward together.

What will the National Information Infrastructure (NII) copyright legislation look like? That will be determined by its status at the end of the last session and will reflect what took place in Geneva. The online service provider liability issue is huge, and these people are busy lobbying in Geneva. At this point, government officials have taken the position that these treaties deal with rights and exceptions to those rights. They do not deal with issues about liability or infringement; this is not the appropriate place to deal with these issues.

For the very first time, and at the highest levels of the U.S. government, there is interest in copyright treaties. Copyright owners have raised some of this interest, but, more likely, the higher interest has been raised by Internet-access providers and telephone companies. Vice President Gore continues to be involved. Instructions to the U.S. Delegation on what should, and should not, be said were coming from Washington. However, some people are not happy with those instructions. At present, the issue is about rights; not liability for those rights.

Ms. Peters distributed copies of:

--*Comments on the Proposed New Treaties in the Copyright Field Under Discussion within WIPO;*

--*Position Paper on Copyright in the Electronic Environment;*

--*Intervention of the United States on Article 12: Limitations and Exceptions; and*

--*Policy Statement - WIPO Treaties on Copyright and Neighbouring Rights,*

Prepared by the Commission on Intellectual and Industrial Property.

◆ Conference on Fair Use -- The Conference on Fair Use (CONFU) was an adjunct of the Administration's 'white paper'. The goal of the conference was to examine fair use in a digital environment and to determine if there were areas of agreement between copyright owners and users of material that would result in guidelines that people could live by.

Additional Issues covered were: distance learning, electronic reserves, interlibrary loan (which quickly went off the table), use of multimedia material in classrooms, and many others. People were close on some issues; less close on others. A November draft report is now on the Internet for comment. Ms. Peters urged NCLIS to comment and to become involved in the process. She stated that the Copyright Office is willing to facilitate discussion to bring people together. A final CONFU paper will be issued in May 1997.

Ms. Peters continued, "Too much is happening too fast in the digital environment. And, nobody knows the outcome, what business models will work, or how business will be conducted. Right now, publishers are not locking into anything. There is one thing

that can happen: Congress can get involved and say, ‘Work this out! If you cannot work it out, and we think it is important, we will look at a new exemption.’”

The recent changes in Congressional Committees were discussed. “All of the people we have worked with are 100 percent in agreement with the principles included in the Constitution of the United States -- which states that copyright is important. It is for the public good, it is a balance that you have to achieve, and you have to listen to everybody,” Ms. Peters stated.

The Chairperson thanked Dr. Billington and Ms. Peters for the informative updates.

NCLIS Committees

The Members reviewed the current Commission Committee list (NCLIS Meeting Notebook Tab J) and confirmed the following Committees and membership:

IMLS/NCLIS LSTA Committee (Established 1996)

Members: Mary Furlong; Frank Lucchino; and Bobby Roberts.

Ad Hoc Committee on Government Information (Established July 1996)

Members: Abe Abramson; James Billington (or Winston Tabb); Joan Challinor; Martha Gould; José-Marie Griffiths; and Robert Willard.

25th Anniversary Committee (Established 1995)

Members: Joan Challinor, Chair; Bobby Roberts, Gary Sudduth, and Robert Willard.

NCLIS Personnel Committee (Established July 1996)

Members: Martha Gould, Chair; Gary Sudduth; Joel Valdez; and Robert Willard.

Budget Committee (Informal)

Members: Vice Chair Martha Gould and Joel Valdez
(To review fiscal documents during the year.)

FY 1997 Meeting Schedule

The Members agreed to continue NCLIS telephone conference calls because they help solidify issues and promote understanding during the time between NCLIS meetings.

Several suggestions were received regarding future Commission meetings:

- (1) Make every effort to hold meetings to no more than two days. (Commissioner Roberts)
- (2) There is importance and value in meeting outside of the Metropolitan area. Schedule no more than two meetings per year in Washington, DC.
- (3) Trim back on the amount of informational matters; rather, share information through conference calls and/or mail. Include more action items on agenda.
- (4) Consider meeting at Gallaudet College, Washington, DC, to learn more about their facilities. (Commissioner Abramson)

Commissioners agreed to hold the next meeting around the National Museum Services Board (NMSB) meeting in Washington, DC, May 8 or 9, 1997. The Members seemed to be split on the need to meet before or after meeting with the NMSB.

Commissioners indicated their preference to attend related meetings and conferences as liaisons in lieu of holding four Commission meetings in 1997. This arrangement would provide more opportunity to bring information back to the Commission and, at the same time, offer more exposure for NCLIS. The Chairperson emphasized the importance of Commissioners preparing detailed meeting reports when attending meetings/conferences at NCLIS expense.

Mr. Young stated, "What I am hearing for FY 1997 is to plan for three Commission meetings and attendance at related meetings/conference by subgroups. In addition, some Commissioner involvement will be budgeted for the GPO study." Staff will poll Members for their particular interest in attending various meetings/conferences, e.g., Association for Library and Information Science Education (ALISE); American Library Association (ALA); American Association of School Librarians (AASL); Association of College and Research Libraries (ACRL); Association of Research Libraries (ARL); Special Libraries Association (SLA); Information Industry Association (IIA); Interactive Services Association (ISA); Black Caucus of the American Library Association (BCALA); and the International Federation of Library Associations (IFLA).

Commissioner Abramson reiterated his proposal that the Commission's appropriation request include funds to support NCLIS in: (1) international information, libraries and archives activities, and (2) international travel. He urged the Commission to

discontinue relying on the International Contributions for Scientific, Educational and Cultural Activities (ICSECA) funds from the State Department.

Members of the IMLS/NCLIS Committee will be invited to attend an IMLS Forum, under the direction of Diane Frankel, planned for February 1997. The idea of the Forum is to include a panel of "Big Thinkers" to hear from both the museum and library community about the provisions of the newly-created IMLS. [NOTE: The meeting has since been rescheduled for March 6-7, 1997.]

Commissioner Furlong suggested a fall meeting and hearing be held in Seattle (perhaps at the Seattle Museum or Seattle Public Library) for several reasons: (1) The Seattle Public Library is the recipient of an NII award for its wonderful, innovative projects, e.g., grandmothers rocking babies in the library, homeless children using the Internet; (2) Microsoft Corporation's 'browser development' which allows access to information; and (3) Amazon Books is now the largest bookstore online in the world. "A meeting and hearing in this area would provide NCLIS with the opportunity to gather knowledge in the electronic information field," she urged.

Portland, San Francisco, and Chicago were also suggested as possible meeting/hearing locations. It was noted that Commissioner Anderson is the keynote speaker at the American Library Association annual conference in San Francisco, late June/early July 1997.

Commissioner Furlong suggested that, given Diane Frankel's leadership, there are opportunities for new NCLIS involvement. "I hope that NCLIS' budget can be flexible to the extent that we can work with Ms. Frankel and the IMLS during this 'building' year," she stated. In addition, Commissioner Furlong suggested the need to 'free up' resources to enable NCLIS to be more 'nimble' and in a better position regarding "upward pressure points", e.g., who should NCLIS attempt to influence in the new Congress, Executive Branch, Administration, and/or media? "For example, should we be meeting with Linda Roberts if she has the budget item for educational technology within the Department of Education? We need to give greater voice to NCLIS," she urged.

Federal Information Dissemination Assessment

Discussion continued on the Federal Information Dissemination Assessment project and preliminary discussions with the National Academy of Public Administration (NAPA) to work with NCLIS to study the usefulness of federal government information to the public. NAPA's draft proposal (Tab D, NCLIS meeting notebook) calls for appointing an Advisory Panel, consisting of NAPA Fellows, NCLIS Commissioners, and other experts familiar with public access, security, federal information management, electronic publication, cost effectiveness, and the Federal Depository Library Program.

Mr. Young reported that John Carabello, NAPA Director, Center for Information Management, is identified as providing operational direction for the project.

Ms. Griffiths offered her perspective that some elements of this study project seem to be transportable to other library and information services areas. She also volunteered to serve on the Ad Hoc Committee.

The following motion was introduced:

MOTION

It was moved by Robert Willard, seconded by Martha Gould, that the Ad Hoc Committee on Government Information Committee proceed with the study authorized in the NCLIS Resolution, July 1996, and that NCLIS proceed with negotiations with the National Academy of Public Administration (NAPA).

The motion carried.

Commissioner Willard reiterated his concern that the study address, at the minimum, the following five objectives: (1) the usefulness of government information to the people, (2) future publishing plans of agencies, (3) cost-effectiveness of various formats that may be utilized; (4) public and private format standards that might best be used, and (5) training requirements for those who use government information.

Regarding the usefulness of government information, Commissioner Willard stated, "One of the realities is that the GPO initiative assumes that it has a responsibility to manage non-print information. I do not know if this is the right approach or not. I do not know if GPO should, all of a sudden, embrace a whole different type of information. I would like that to still be considered an open issue for evaluation. When we are looking at the usefulness of government information, we should not assume that GPO is the entity by which it gets to the people." Vice Chair Gould added, "We are beginning the process of setting standards. However, it will not happen overnight; it will take a decade."

Public Library-Internet Connectivity

Mr. Young reported that he talked with Andrew Magpantay, Director of ALA's Office for Information Technology and Policy (OITP) and John Bertot, Department of Information Systems, University of Maryland Baltimore County, regarding the Commission's potential interest and investment (on a very limited scale) in another national public library Internet study to update and extend the 1996 survey research. This proposed study would provide updated information to policy makers at the Federal

Communications Commission (FCC) in their consideration of regulations for universal service discounts for schools and libraries.

At Mr. Young's request for further direction, the following motion was introduced:

MOTION

It was moved by Joel Valdez, seconded by Gary Sudduth, that NCLIS proceed in cooperation with John Bertot, Department of Information Systems, University of Maryland Baltimore County, and Andrew Magpantay, Director of the Office for Information Technology and Policy, ALA, to provide updated information to policy makers at the Federal Communications Commission (FCC) in their consideration of regulations for universal service discounts for schools and libraries, not to exceed \$10,000.

The motion carried.

FCC Joint Federal/State Board on Universal Service Discounts for Schools and Libraries

The Members discussed filing comments to the Federal Communications Commission (FCC) relating to the Federal-State Joint Board Recommended Decision on Universal Service. Commissioners agreed to specifically address the need for flexibility to enable libraries to select specific telecommunications arrangements that meet the unique needs of their communities. In addition, the comments should identify the need for additional research and analysis of discrepancies between public library Internet services identified in the NCLIS report, *The 1996 National Survey of Public Libraries and the Internet*.

Based upon discussion, staff will prepare comments to the 7 November 1996 draft regulations, Federal Communications Commission (FCC) Joint Federal/State Board on universal service discounts for schools and libraries, due 19 December 1996.

WHCLIST

Mr. Richard Akeroyd, Connecticut State Librarian, stated that he is the former NCLIS Liaison for the Chief Officers of State Library Agencies (COSLA) and is not now serving in this capacity. Mr. Akeroyd referred to the statement of purpose prepared by the WHCLIST Planning Subcommittee entitled, *Planning for a National Summit Meeting* (NCLIS meeting notebook, Tab H). The subcommittee's stated purpose is: "To plan for a national summit meeting of library-related organizations and other stakeholders concerned with the delivery of library and information services in the 21st Century."

Mr. Akeroyd noted that the specific role of the White House Conference on Library and Information Services Taskforce (WHCLIST) is to monitor, and to advocate for, conference recommendations. He noted that WHCLIST members take their charge very seriously and want to maintain the momentum of the White House Conferences that created the Taskforce as an organization. The members have the deep conviction that there should be some type of a national forum to discuss public policy issues. However, WHCLIST has no intention for such a national meeting to replicate either the model of the 1979 or 1991 White House Conferences, which were very costly and required resource commitments at the state and federal levels in terms of organization.

The WHCLIST Planning Subcommittee will hold its first meeting on January 11, 1997, in Atlanta, Georgia, to:

- ◆ hold preliminary discussions regarding the basic concept of the summit meeting, including potential models;
- ◆ identify the major stakeholders who should participate;
- ◆ develop a preliminary timetable for planning and convening the summit meeting;
- ◆ identify costs and potential sources of funding and support; and
- ◆ prepare a report of its work and recommendations to the WHCLIST Annual Meeting in August 1997.

Members of the Planning Subcommittee are: Richard Akeroyd (Chair); Sherman Banks, Beth Bingham, Sara Jane Cate, Peyton Neal, Joan Ress Reeves, Renee Swartz, and Carmine Trotta. Claude Blakely and Stan Gardner serve as ex-officio members.

Mr. Akeroyd stated, "I would like to anticipate that NCLIS would be one of the stakeholders to play a role in the summit meeting. At this point, WHCLIST wants to sensitize NCLIS to what it is doing in the hopes that NCLIS will play some type of role." Another update will be presented at the NCLIS meeting, May 1997.

Commissioner Challinor, NCLIS representative to WHCLIST, stated, "Whether it is a White House Conference or a National Conference, libraries have to keep themselves in the public eye because they can fall off the shelf at any time; there is no question about that! There should not be another White House Conference in its past form; it is terribly expensive and you cannot get a handle on what it really accomplishes! There needs to be some real creative thinking, and this takes a lot of time. But, when this creative thinking comes about, we can learn a lot. I have confidence in this planning group because Dick Akeroyd is in charge. I have great trust in him and believe that he will not let things run away in the enthusiasm of the moment."

Commissioner Abramson asked if the planning committee planned to omit the words "White House Conference" from its name. Mr. Akeroyd replied that this is a matter for discussion. Commissioner Willard concurred in the need for a different type of White House Conference from before, but thought that the name "White House

Conference on Library and Information Services” should remain. Commissioner Abramson expressed his opinion that the words, ‘White House Conference’ carry “too much baggage.” Mr. Akeroyd added that COSLA is “reactive” to the name, “White House Conference.” He noted that an accurate statement, at this point, is that the COSLA leadership has determined that they want to monitor what is going on and keep their options open. Commissioner Gould stated that she is in favor of a national summit and urged that the word “citizen” be involved. “From a political point of view, there is a real need to bring political power back to the ground. Library support comes from the grassroots level. . . We need to build support of the bridge to the 21st Century,” she said.

Mr. Akeroyd thanked the Commissioners for the opportunity to discuss the national summit proposal. In summary, he asked the Commission to carefully consider the following questions: (1) Will NCLIS participate in a summit meeting?; (2) What would be the NCLIS role?; and (3) How can NCLIS benefit?

Microsoft Libraries Online Project

With the suggestion and assistance of Commissioners Abramson and Furlong, a briefing on the *Microsoft Libraries Online Project* was provided by Christopher Hedrick, Senior Program Manager, Microsoft, via a telephone conference call. Mr. Hedrick apologized for his absence before the Commission, due to his travel commitments.

The \$3 million *Libraries Online Project* is a national initiative, launched in 1996 between the American Library Association and Microsoft Corporation. It more than triples the number of libraries involved in the project in 1995-96. Through *Libraries Online*, Microsoft provides public libraries with funding, technology training, and software to enable inner-city and rural communities access to the Internet. The gap between those who have access and those who do not is very disturbing, and Microsoft wants to do something about it.

Mr. Hedrick asked, “Why would one look just at libraries for this data? Because, unlike schools, libraries: (1) are open to everyone; (2) are life-long learning institutions; (3) operate in a non-threatening environment; and (4) are staffed by people whose job is providing information and helping people navigate to find that information.”

Referring to overheads (NCLIS meeting notebook, Tab F), Mr. Hedrick noted that approximately 50 percent of U.S. families cannot afford at-home computing. The Microsoft Corporation believes they have an obligation, and some of the right skills, to make a difference in expanding access.

The goals of *Libraries Online* are to:

- ◆ Expand access to information technologies in disadvantaged and isolated communities.

- ◆ Determine, document, and disseminate best practices.
- ◆ Enhance ability of all libraries to provide information technologies to patrons in the most efficient way.

Some of the findings to date are: (1) project objectives are being met; (2) very few *Libraries Online* PC users had Internet access at home; (3) in Brooklyn, nearly one-third came to the library just to work with the computers; (4) machines are being used at nearly maximum capacity; (5) urban use is higher per PC than rural use; (6) in Brooklyn, 1.5 users per PC per hour; (7) users have a high rate of satisfaction; (8) library staff were unable to answer questions for about one out of ten patrons; and (9) user satisfaction and ease of use were highest where organized patron training was offered.

Eight factors for the success of the *Libraries Online Project* are: (1) Technology; (2) Executive staff involvement; (3) Willingness to make direct investments; (4) Culture; (5) Flexibility; (6) Focus on staff training and development; (7) Strong branch staff; and (8) Link with community organizations.

In response to several questions from Commissioners, Mr. Hedrick stated that, for the project, it is very important that neighborhood branch libraries gain substantial access to electronic reference tools, Internet access, and office applications. There is a lot of personal commitment at different levels of the Microsoft Corporation for this project and, fundamentally, for the issue of expanding access. He also stated that grants have been made available to several Native American Tribal organizations in both the first and second phases of the project.

The study found that the younger-aged groups most often used the Internet; the older-aged groups tended to use the office applications, spread sheets, word processing, etc. Three levels of training skills were applied: (1) highly technical; (2) troubleshooting; and (3) research skills. When asked if the survey included qualitative analysis or if specific usage was being tracked and identified, Mr. Hedrick replied that the project attempts to not to be judgmental about usage.

Microsoft will produce a booklet on this preliminary pilot program, including some of the evaluations and assessments, by, hopefully, ALA Midwinter, February 1997. Mr. Hedrick promised to provide copies to the Commission.

The Chairperson thanked Mr. Hedrick for his wisdom and for taking time to speak to the Commission. Commissioner Challinor praised the insight to include the *Microsoft Libraries Online Project* on NCLIS' agenda and called the conversation with Mr. Hedrick, "very instructional." When informed of the Commission's tentative plans to meet in Seattle and to hold hearings, Mr. Hedrick stated that it was an excellent idea. He also stated that Microsoft would be glad to serve as host and could assist the Commission in its work with the Seattle Public Library and Technology Research Institute for Public Libraries.

LSTA Appreciation

Commissioner Willard offered the following **draft** resolution expressing to the President and Congress the Commission's appreciation for passing the Library Services and Technology Act:

Whereas, the December 1996 meeting of NCLIS marks its first meeting after the Presidential signing of the Library Services and Technology Act (LSTA); and

Whereas, the Commission looks forward to its new responsibility with enthusiasm and high hopes.

Therefore Be It Resolved That the U.S. National Commission on Libraries and Information Science communicates to the President and appropriate Congressional leaders appreciation and congratulation on the enactment of this landmark legislation dealing with federal support of libraries.

Be It Further Resolved That the Commission communicate its strong encouragement of full funding in the amount authorized in this legislation; and

Be It Further Resolved That the Commission devote appropriate energy to the task of monitoring the effectiveness of this legislation and provide, in accordance with our statutory mandate, advice to the President and Congress regarding reauthorization of LSTA.

In discussing the resolution, Commissioner Challinor asked, "Does Congress expect to be thanked for passing legislation?" Chairperson Simon replied that some Congressmen cherish individual 'thank you's'. Vice Chair Gould suggested that a personal thank you is more effective. She stated, "I like the idea of a resolution, but I do not know what good it will do. I think it will get lost somewhere."

In the final consensus, it was determined that Commissioners use their own discretion in presenting their individual statements of appreciation to the President and Congress.

The meeting adjourned at 5:00 p.m. A post-meeting discussion was held following a working dinner.

Post-Meeting Discussion

The following comments were received:

- ◆ In the interest of time, avoid discussing personal travel plans on conference calls.
- ◆ The materials contained in both the meeting notebooks and folders were very informative.
- ◆ Do not staple documents in the NCLIS meeting notebook unless absolutely necessary.
- ◆ It is very important to have observers at NCLIS meetings.

Attachment:

Resolution of Appreciation to Richard Akeroyd



**U.S. NATIONAL COMMISSION ON LIBRARIES
AND INFORMATION SCIENCE
RESOLUTION
HONORING
RICHARD G. AKEROYD, JR.**

WHEREAS for over 25 years, the U.S. National Commission on Libraries and Information Science (NCLIS) has encouraged liaison organizations to participate with NCLIS to help promote the work of the Commission and to share information, knowledge, and expertise within the library and information services field; and

WHEREAS Richard G. Akeroyd, Jr., State Librarian of Connecticut, has served as liaison to NCLIS from the Chief Officers of State Library Agencies (COSLA) from July 1995 to December 1996; and

WHEREAS Richard Akeroyd served as a Program and Planning Consultant for the 1979 White House Conference on Library and Information Services (WHCLIS) and also served as Chair of the 30-member WHCLIS Advisory Committee and Co-Chair of the 1991 WHCLIS; and

WHEREAS Dick Akeroyd has served as a strong supporter, close advisor, long-time friend, and effective advocate of the U.S. National Commission on Libraries and Information Science; now, therefore

BE IT RESOLVED, That the NCLIS Members recognize Richard G. Akeroyd, Jr. for his outstanding service and performance in promoting and enhancing the value of library automation and networking, public administration, and public policy development, and

BE IT FURTHER RESOLVED, That the Members of the U.S. National Commission on Libraries and Information Science thank Richard G. Akeroyd for his keen insight and expert advice as COSLA liaison and express their sincere appreciation for his contributions and wise counsel.

Adopted on 12 December 1996 by the U.S. National Commission on Libraries and Information Science.