Amal Ahmed

CINE-GT 3049: The Culture of Archives, Museums, and Libraries

Professor Howard Besser

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Public Libraries and COVID-19: Responses and the Accessibility of Digital Resources.

The first ever of its kind, Covid-19 has drastically changed the role of digital resources on the internet. The accessibility of digital resources has become a necessity even for day-to-day essential tasks. Libraries provide information that are from reliable sources as well as providing training for using digital resources to find jobs, file for unemployment, or use educational services. Libraries are trusted facilities that have integral impacts on the proactive growth for learning in various types of communities. On March 17, the American Library Association (ALA) recommended and urged that libraries close their doors. This was in fears that keeping libraries open will cause more harm and exposure to the coronavirus to library workers and library patrons.

The ALA's *Pandemic Preparedness: Resources for Libraries*[1] has been a highly valuable resource and immediate response asset. Even during closure, libraries continue to supply for their communities through leaving street-level Wi-Fi active, expanding online webinars, providing workshops and activities for patrons and community members inclusive of ethnic background and ages group. Public libraries in the U.S offer a variety of resources for local communities, for example the Brooklyn Public Library offers outreach programs that are "specialized services for immigrants, older adults, people experiencing homelessness,

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[1] "Pandemic Preparedness." Tools, Publications & Resources, April 28, 2020.
http://www.ala.org/tools/atoz/pandemic-preparedness.

and those transitioning in and out of correctional systems."[2] These types of programs supply marginalized communities with multi-lingual readings, DVD's, and audiobooks, in order to aid the often neglected hardships of transitional periods. The closure of public libraries has hit hard communities who lack internet connectivity and who need public libraries to provide necessities such as access to computers. The luxury of the accessibility of the internet is more important than ever now.

I. Actions for Emergency Broadband

Digital accessibility only goes so far if communities are able to get access to computers and the internet. Public libraries provide information for a children, young adults, families and small business' by initiating community focused programs. These include offering digital literacy for individuals of all ages. Digital literacy teaches individuals on how they can use the internet for handling necessities such as education, health insurance, exploring job opportunities, and accessing legal aid and advice. According to the American Library Association (ALA), "digital opportunity gaps disproportionately impact low-income families, rural residents and tribal communities, African Americans, Latinos, and people with disabilities".[3] In a statement issued on March 23 the ALA recommended all public libraries to leave their Wi-Fi open during the coronavirus state of emergency.[4]

Access to internet is essential for job hunting, education, healthcare, and communication. Under the Federal Communications Commission (FCC) the obligation for broadband equity for rural, tribal, and low-income households has been long supported by

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[2] "Library Outreach." Brooklyn Public Library, December 23, 2019. https://www.bklynlibrary.org/outreach.

[3] Ewagner. "Broadband." Advocacy, Legislation & Issues, May 1, 2020. http://www.ala.org/advocacy/broadband.

[4] Szalusky. "American Library Association Recommends Libraries Leave Wi-Fi Open during Closures While Continuing to Follow Any Applicable Local, State and Federal Health and Safety Guidelines." News and Press Center, April 20, 2020. http://www.ala.org/news/press-releases/2020/03/american-library-association-recommends-libraries-leave-wifi-open-during.

library workers and advantaged public library patrons. Recent actions have addressed covid-19 relief funding to the FCC. The HEROES Act has now been passed by the House of Representatives and will be under negotiation between the House and the Senate. The Act is to provide several funds to schools, libraries, tribal schools, and tribal libraries, for the eligibility to extend broadband equity, provide hot-spot lending programs, purchase internet accessible devices, and provide technical and support services.[5] Certainly the democratization of the internet should be a priority as digital communications continue to shape societies by providing important information about healthcare, education, and public policy.

II. Local Advocacy

Many major library organizations like ALA have administered recommendations for libraries but not library workers in particular. They have not actively addressed the concurrent lay-offs library workers are facing because of Covid-19. On the contrary, many news articles encourage and applaud library workers for curbside pickup and how library workers continued work with Wi-Fi hotspots and patron requests. Even with growing number of library card holders looking for digital tools, librarians are unable to suitably work from home if federal or state budget cuts cause non-paid leave for library workers. Librarians shouldn't be abused for wanting to enact their own personal safety and wanting to stay at home.

> "During the beginning and height of the #closethelibraries campaign, which started when many academic and public libraries were continuing to either operate as usual, refusing to provide telework options, or operating with scaled-down in-person services, it quickly became clear that many workers were being punished or threatened by library or municipal/institutional leadership if they attempted to speak about their unsafe conditions and stand up for their personal safety."[6]

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[5] Lowey, and Nita M. "Text - H.R.6800 - 116th Congress (2019-2020): HEROES Act." Congress.gov, May 15, 2020. https://www.congress.gov/bill/116th-congress/house-bill/6800/text#toc-H0C7F53D912614BC9A21B8269FE9922DC.

[6] Bignoli, Callan. "Don't Leave Workers Out of the Library Narrative: Opinion." Library Journal. Accessed May 20, 2020. https://www.libraryjournal.com/?detailStory=Dont-Leave-Workers-Out-of-the-Library-Narrative-Opinion.

Moreover, public libraries are opening up again in May, and are not being mentioned as part of the reopening phase plans, despite being in the center of resources for local communities. Multiple advocates, part of the Library Freedom Project, voiced their concerns through a petitions and weekly actions.[7] The advocacy website offers multiple resources for reopening safely, tracking library lay-offs, and templates for letters to be written to the state governors and representatives. They are also advocating for the furlough benefits to be reinstated rather than lay-offs. Also, for child-care benefits, necessary personal protective equipment for libraries who are opening up again, or never closed in the first place. Personal safety from a contagious virus is more important than providing curbside book pick-up, where there is threat of library workers getting infected.

The #protectlibraryworkers hashtag is bringing multiple library workers to form alliances and unions, from across the country, to address concerns that the state, county, or municipal governance are not including, while trying to reopen facilities in phases.[8] Libraries are important for developing social benefits for local communities, but library workers cannot solely be responsible for making sure their users can safely follow social distancing rules. This must be mandated and instructed by the state governance that are leading the funding to libraries and library workers.

III. The National Emergency Library

The Internet Archive announced the 'National Emergency Library' and has made 1.4m e-books available. Books that were in copyright before the pandemic, are now free to

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[7] "Protect Library Workers." #PROTECTLIBRARYWORKERS. Accessed May 20, 2020. http://libraryworkers.net/index.php.

[8] "Sign the Petition." Change.org. Accessed May 20, 2020. https://www.change.org/p/kay-ivey-protectlibraryworkers-communities-don-t-reopen-libraries-until-it-s-safe?recruiter=1051555846&utm_source=share_petition&utm_medium=copylink&utm_campaign=share_petition.

borrow through the libraries restricted 14-day controlled digital lending system. Some concerning copyright controversy around the decision to create the National Emergency Library has been exclaimed by publishing company Authors Guild, who have criticized the Internet Archive of "using a global crisis to advance a copyright ideology that violates current federal law and hurts most authors. It has misrepresented the nature and legality of the project through a deceptive publicity campaign."[9]

Copyright is here to protect authorship and create innovation. If authors and publishers were to close their doors to only buying books online there would be no use of a libraries lending role. Also, traditional public libraries that have digital e-book lending systems on their websites but are now crammed with patrons wanting to borrow them as e-books, are being stuck on a waitlist. This is because Title 17 Section 108 of the copyright law permits exemptions for libraries and archives, allowing for the digital copy of copyrighted material for interlibrary loan, but these are only for one person at a time lending. Title 17 Section 108 also allows for up to three copies for preservation, and making the copy available to a user if it is not available at a fair price.[10]

The Internet Archive's books are bought by the archive through *Better World Books* or donated by users; this is perfectly legal because the first sale doctrine (section 109 a) of the Copyright Act allows owners of the book to "work to resell, rent, lend, or give away that copy without the copyright owner's permission."[11] The first sale doctrine however does not

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[9] "Internet Archive's National Emergency Library Harms Authors." The Authors Guild, April 22, 2020. https://www.authorsguild.org/industry-advocacy/internet-archives-uncontrolled-digital-lending/.

[10] "LibGuides: Copyright and Fair Use: Exceptions for Libraries and Archives." Exceptions for Libraries and Archives - Copyright and Fair Use - LibGuides at Oregon State University. Accessed May 20, 2020. https://guides.library.oregonstate.edu/copyright/libraries.

[11] "LibGuides: Copyright and Fair Use: Exceptions for Libraries and Archives." Exceptions for Libraries and Archives - Copyright and Fair Use - LibGuides at Oregon State University. Accessed May 20, 2020. https://guides.library.oregonstate.edu/copyright/libraries.

apply to the purchase of e-books. This is why most traditional libraries have licences for e-books with publishers or authors.

Technically, the Internet Archive, as a non-profit organization, like many other public libraries is allowed to make a single copy of the in-copyright book for inter-library loan and lending for its users. However, the Internet Archive is allowing for multiple users to read the same in-copyright book through their controlled digital lending system. This poses infringement on the number of digital copies reproduced and distributed without the publishers' license.

The IA's mission is to provide "Universal Access to All". "Suspending waitlists will put books in the hands of people who need them, supporting emergency remote teaching, research activities, independent scholarship, and intellectual stimulation while universities, schools, training centers, and libraries are closed."[12] The Internet Archive has also made it very easy for publishers and authors to "opt-out" of the National Emergency Library. Publishers and authors can email the Internet Archive and request their book to be taken out of the Emergency Library. Making it easily accessible for copyright owners to opt-out technically allows the Internet Archive to provide the emergency library during the pandemic as they have cautioned copyright owners.

Despite the fact that this is a temporary Emergency Library, the validity of the argument the Authors Guild poses is a copyright threat to the Internet Archives move. However, with the scarce number of resources for educational distribution to multiple users the Internet Archives Emergency Library will help millions with information they might not be able to access because of public library closures. A big argument for the Internet Archives Emergency Library is that this is an emergency library for the millions who have been

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[12] 11, May. "National Emergency Library FAQs." Internet Archive Help Center. Accessed May 20, 2020. https://help.archive.org/hc/en-us/articles/360042654251-National-Emergency-Library-FAQs.

immediately stricken of resources, have not organized a digital system, and require books for teaching and learning worldwide.

IV. Conclusion

Information from copyright specialists, librarians, researchers, and students have been enormous in benefiting resources the new all-digital platform. With the changes that Covid-19 has bought, the urgency of digital accessibility of resources has changed the conversation of the democratization of knowledge and information. The pandemic has also started to raise awareness in mandating the control of misinformation. Librarians have always advocated for providing accurate information. Mitigating the copyright law in times of a pandemic is important for the social and cultural dissemination of information. Opening up digital accessibility, even temporarily, provides educational resources for communities who cannot at this point afford it. Moreover, library workers cooperation in navigating the pandemic has created a lot of preparedness and conversation for response tactics, which can hopefully create better response tactics for the future.

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