
Leadership in Legislation and Public Policy Development: The Case of the American Library Association

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ABSTRACT

THIS ARTICLE EXAMINES THE federal legislative and information policy leadership roles of the American Library Association. A brief history of ALA's Washington office is followed by a review of research and scholarship on the objectives and techniques of public interest lobbying. The outcomes of two legislative initiatives from the 1979 White House Conference on Libraries and Information, the National Indian Omnibus Library Bill, and the National Periodicals Center, are examined to see what can be learned that is potentially relevant to legislative proposals emerging from the Second White House Conference.

INTRODUCTION

The mission of the American Library Association is to provide *leadership* for the development, promotion, and improvement of library and information services and the profession of librarianship in order to enhance learning and ensure access to information for all. (Hodges, 1990, p. 235)

Thus does the American Library Association (ALA), in its most recent (July 1986) and most basic statement of its organizational "Mission, Priority Areas, Goals," assert for itself a leadership role vis-à-vis both the library and information service profession and those whom libraries and information centers serve. Later in the same document, the association's policy governance body, the 175 member council, enumerates six "priority areas," among them

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"legislation/funding." These may be regarded as major areas of the field in which ALA seeks to exercise organizational leadership.

A decade after the first White House Conference on Library and Information Services in 1979 (WHCLIS-1) and just after the second White House Conference, it seems a propitious time to examine the manner in which the American Library Association, its elected and appointed leaders, and its professional staff provide professional leadership in the critical area of legislative and information policy development at the national level. This article will identify some of the special characteristics of ALA's lobbying and policy development efforts and assess the association's strengths and weaknesses in the federal legislative and regulatory areas. The article is based on the premise that it ought to be useful both to examine ALA's lobbying posture and to review selected outcomes of the first White House Conference in order to suggest how the association might enhance its future role in working for legislation at the federal level that "will strengthen library and information services." What can we learn from the legislative successes and failures of the past that might prove valuable in pursuing implementation of the resolutions and recommendations that emerge from the 1991 White House Conference on Library and Information Services (Hodges, 1990, p. 235)?

This article centers on the recent legislative activities of the American Library Association at the federal level. It examines in particular the fate of two legislative initiatives that were associated with the 1979 White House Conference on Library and Information Services. One of these, the addition of the "Library Services to Indian Tribes" amendment to the Library Services and Construction Act (LSCA), may be termed a legislative success. The other, the proposal to create a National Periodicals Center (NPC), must be regarded as a failure. The objective is not primarily historical analysis and is most certainly not the allocation of either praise or blame in relation to the outcomes of the 1979 conference. Rather, the purpose is to learn from the experience of the past how to make better use of the second opportunity that the 1991 White House Conference provides to focus national attention on the needs of library and information services and on those who depend on them in order to survive and to flourish in an information centered society.

In defining the scope of this article, the intention is not to suggest that the two White House Conferences and their outcomes constitute the totality of ALA's federal legislative efforts. Neither is the intention to slight the important and substantial work that is being done at the federal level by other national associations in the field, among them the Special Libraries Association (SLA), the Association of

Research Libraries (ARL), the American Society for Information Science (ASIS), the Information Industry Association (IIA), and the Medical Library Association (MLA). The focus on the American Library Association and on the 1979 White House Conference and its aftermath reflects the personal knowledge and experience of this author as president of the association during the first White House Conference and subsequently as its executive director. It reflects as well the reality that ALA is the largest of the personal membership associations in the library and information field, that it was the first to establish a lobbying presence in Washington, and that, in this sense, ALA correctly characterizes itself as “the *chief* advocate for the people of the United States in their search for the highest quality library and information services” (Hodges, 1990, p. 1, emphasis added).

A BRIEF HISTORICAL INTRODUCTION

Lobbying has a long and somewhat checkered history in the United States. Its statutory justification is found in the First Amendment to the Constitution, which affirms the inherent right of the people to free speech in general and specifically “to petition the Government for redress of grievances.” The origins of the term “lobbying” have been traced back to 1808 when it first appeared in the annals of the 10th Congress. By 1829, *Congressional Quarterly* notes, “the term ‘lobby-agents’ was applied to favor-seekers at the state capitol in Albany, N.Y. By 1832, it had been shortened to ‘lobbyist’ and was in wide use at the U.S. Capitol” (Moore, 1979, p. 1).

To some in the education community, the term “lobbying” carries such an air of opprobrium, conjuring up images of political chicanery and corruption, that the preferred usage has become the euphemistic “legislative information.” Lester W. Milbrath (1963), in his pioneering study of lobbying, provides a useful neutral definition: “Lobbying is the stimulation and transmission of a communication, by someone other than a citizen acting on his own behalf, directed at a governmental decision-maker with the hope of influencing his decision” (p. 8).

Since 1945, responding to the growing importance of the federal government in the support of education at all levels, the education community has expanded its Washington presence. The American Library Association first opened its Washington office in October 1945. It was charged to address the “Program for Action” of the then ALA Federal Relations Committee, which included the following priorities:

disposal of surplus property to educational institutions, including libraries; transfer of surplus Army and Navy books to states for use primarily in extending service to rural areas; recognition by government of the essentiality of library materials and services in any research program; inclusion of librarians in social security; adequate provisions for libraries in any public works programs; maintenance of low postal

rates on library materials; Federal aid for demonstrations of public library service as a first step toward Federal assistance in the establishment, maintenance, improvement and equalization of library service for all the population. (Stevenson, 1968, pp. 281-83)

Subsequently, the eyes of the library world became focused on the District of Columbia as the potential source of federal financial largesse to such an extent that in 1957, and again in 1967, a postal ballot of the ALA membership was required to reverse ALA Executive Board and Council decisions to move the entire headquarters operation to Washington so that ALA might take its "place in the sun alongside the NEA and many others of these great organizations in Washington, our nation's capital" ("The Location of ALA Headquarters," 1957, p. 599).

As the ALA Washington office approaches its golden anniversary, its staff and the association's membership can point to many successes. For many, the enactment of legislation authorizing the first categorical federal aid to local libraries, the Library Services Act of 1956, is still regarded as ALA's single greatest lobbying achievement. This was followed by broadening assistance to public and state libraries and providing funds to encourage interlibrary cooperation through the Library Services and Construction Act of 1964, as well as by legislation providing categorical aid to both college and university libraries and to elementary and secondary school libraries in the wake of the post-Sputnik era. More recently, the emphasis has been on maintaining these direct grant programs in the face of continuing administration efforts to "zero them out" of the budget.

As the nation has undergone the transition from a manufacturing society in the 1950s to a post-industrial, information centered society in the 1990s, the agenda of the ALA Washington office has grown dramatically. In particular, the executive branch and the independent agencies have attracted attention equal to that given to Congress, as an ever-growing array of information policy issues emerge to be addressed at the national level. The expansion of the library profession's lobbying agenda is evident in the scope of the *ALA Federal Legislative Policy*, which, in addition to urging continued support for direct federal aid to libraries, now incorporates recommendations for a variety of forms of indirect subsidy of library and information services such as postal revenue forgone and the lowering of tariff barriers to the importation of educational materials. Moreover, the American Library Association has adopted policies on a broad spectrum of information-related issues ranging from the Fairness Doctrine in broadcasting to international copyright. The July 1987 edition of the *ALA Federal Legislative Policy* cites no fewer than fifty-two "Existing Federal Laws Affecting Librarians, Libraries and their Users," ranging from the Computer Fraud and Abuse Act to the Job Training Partnership Act (ALA, n.d., pp. 23-24).

THE ALA LEGISLATIVE POLICY STRUCTURE TODAY

Today the American Library Association pursues its federal legislative agenda through the day-to-day work of a small group of experienced, dedicated, and exceptionally able Washington office staff, operating in close partnership with member volunteers under the general direction of the ALA Council and the specific oversight of the council's Legislation Committee. The Legislation Committee is charged by the council:

to have full responsibility for the Association's total legislative program at all levels—federal, state and local. To recommend legislative policy and programs for Council approval and to take the necessary steps for implementation. To protest any legislation or executive policy adversely affecting libraries. To seek rulings and interpretations of laws and regulations affecting the welfare and development of libraries. To represent the ALA before executive and legislative branches of government as required at all levels. To provide a forum within ALA to gather information about needed legislation and to keep all units of the Association informed of the ALA legislative programs. To direct the activities of all units of the Association in matters relating to legislation. (Hodges, 1990, p. 13)

Several aspects of the charge merit brief comment. First, the two references to the executive branch are indicative of the fact that the regulations of executive and independent agencies, such as the Department of Education and the Federal Communications Commission, not only carry the force of law, but are of equal or sometimes even greater importance to libraries than are the actions of Congress. Second, the Legislation Committee does not have the authority to formulate ALA policies relating to legislation but only the authority to recommend policy to the 175 member ALA Council, which reserves to itself the association policy-making role at its semi-annual meetings.

The reference to all three levels of government—federal, state and local—correctly reflects the statutory requirement for tax-exempt organizations (known as 501[c][3] organizations in the Internal Revenue Code) that they not engage in “substantial effort” to influence legislation. The substantial effort test applies to lobbying activities at all three levels of government. In fact, however, the work of both the ALA Legislation Committee and of the Washington office is limited almost exclusively to the national level. Similarly, although the charge to the Legislation Committee appears to grant it sweeping authority to “direct the activities of all units. . . in matters relating to legislation,” in practice both the Legislation Committee and the ALA Washington office staff have labored to avoid intruding on the areas of substantive expertise represented by the association's divisions and other units.

More accurately, the ALA Legislation Committee and its Washington office staff seem to regard their function as one of

translating the policy goals of ALA and its more than 1,200 divisions, round tables, committees, subcommittees, boards, and other sub-units into the language of legislation. The Legislation Committee tends to be *proactive* with respect to bringing federal legislative and regulatory developments to the attention of the association and its membership units but *reactive* with respect to policy initiation in its working relations with those units. For example, the Legislation Committee would actively bring any proposed change in content regulation of broadcasting to the attention of the association's Intellectual Freedom Committee (IFC), but would then ordinarily see its role as assisting the IFC to incorporate its substantive response to such an FCC proposal into a resolution for presentation to and action by the council. The Legislation Committee would, in an instance like this, define its role as providing technical assistance to the IFC and the council in expressing ALA's response to the FCC in language that would be most likely to have the maximum impact on the commission and on Congress. The point simply is that the ALA Legislation Committee has neither the authority nor the expertise to act unilaterally for ALA in federal legislative matters, nor should it.

The ALA Washington office's current mission statement also merits attention as it provides insight into the manner in which that office, with the concurrence of the Legislation Committee and the council, defines the staff role in the federal legislative process:

The staff of the Washington Office acts as a link between ALA members and the federal government by relaying news of important government actions affecting libraries to the membership, and by supplying information and assistance to government agencies and Congress. The office makes official comment on proposed federal regulations concerning libraries and librarians, supports legislation benefitting libraries and library service, and works for meaningful appropriations levels for federal library-related programs. In addition, the office assists librarians in their contacts with government agencies and Congress, and works closely with state library associations, ALA units, and others in compiling data on library needs nationwide. (Hodges, 1990, p. 197)

In comparing the ALA Washington office's mission statement with the charge to the Legislation Committee cited earlier, one is struck by the former's very specific focus on the federal and the national level, even in the statement concerning liaison with state library associations in the final sentence, where the role is carefully limited to "compiling data on library needs *nationwide*." If nothing else, this reflects a recognition that, given the magnitude of its federal-level portfolio and the limitations of its staff and financial resources, the ALA Washington office simply cannot ordinarily undertake to provide direct staff support for lobbying activities at the levels of state or local government. Moreover, it also reflects the view that

state and local legislative matters are primarily the domain and the responsibility of ALA's state association chapters (beginning in 1983-84, during the ALA presidency of Brooke E. Sheldon, the Washington office has sought to share its lobbying expertise with the state associations by developing resource manuals for use at the state level).

The language of the mission statement is also sensitive to the "substantial effort" test of the Internal Revenue Code. The emphasis is on the office's informational, communication, and liaison roles, minimizing activities designed to influence legislation directly. The emphasis on the information and liaison functions is even more pronounced in the ALA Washington office's 1975 statement on its mission and function:

Set forth below is a description of the activities and functions of the Washington Office which has a *threefold purpose*: First, the Office provides the Executive, Legislative and Judicial Branches of the Federal government with an authoritative, comprehensive and non-partisan source of information concerning library services and resources, plans, requirement, construction and manpower.

Second, the Office provides ALA members and the State Associations which are chapters of the Association with an authoritative, comprehensive source of information concerning legislative and administrative proposals, plans, policies and activities relating to libraries and librarianship at all levels of government.

Third, the Office provides liaison for the Association with other Washington-based representatives of education, scientific, business, labor, cultural and other types of organizations. ("The ALA Washington Office, 1975, p. 1. This document is characterized by the associate director of the Washington office as an accurate written description of the mission and function of the office except for two discontinued activities not included in the text cited here.)

The rather narrow focus on matters relating directly to "libraries and librarians" seems a bit dated, perhaps reflecting an earlier time when the central focus of the office was to maintain and expand the programs of direct categorical federal assistance to libraries. In fact, it does not reflect the range of the office's current concerns which address the information field more broadly defined, as any current issue of the *ALA Washington Newsletter* will attest. For example, of six items on the Washington office agenda that were characterized by its director in 1985 as "the most active on a far-reaching and continuing basis," only two—"proposals to downgrade federal librarians and contract out federal libraries"—are specifically limited to libraries and librarians, while the remaining four—"international copyright issues, pay equity, postal rate subsidies, [and] the AT&T divestiture"—fall within the broader domain of information and communications policy issues (Cooke, 1984-85, p. 329).

LOBBYING IN THE PUBLIC INTEREST

The American Library Association consistently identifies itself as an *educational* organization, operating in the public interest, rather

than as a professional or trade association, pursuing narrow, self-serving goals. Indeed, such a characterization is critical to maintaining ALA's tax exempt status. Similarly, descriptions of the work of the ALA Washington office stress its educational and public interest roles. ALA not only consistently characterizes itself as an educational organization, but it has continually sought to ally itself in legislative and regulatory matters with both the education community and with other public sector national voluntary organizations such as the League of Women Voters.

The literature on lobbying in the public interest notes in recent years:

the sharp decline of political parties as key actors in the political process and the seemingly related rise of interest groups as articulators of political demands. Functions that parties used to perform such as candidate selection, fund raising and legislation drafting are now being taken over by interest groups. (Hrebennar & Scott, 1982, p. ix)

David Truman (1971), in his classic study, *The Governmental Process*, defined an interest group as "any group that is based on one or more shared attitudes and makes certain claims upon other groups or organizations in the society" (p. 33). Jeffrey Berry (1977) defines a public interest group as "one that seeks a collective good, the achievement of which will not selectively and materially benefit the membership or activists of the organization" (pp. 7-8). He further defines "collective good" as "any public policy where benefits may be shared equally by all people, independent of their membership or support of a given group" (pp. 7-8). Given its dual concern for improving the lot of libraries and librarians, while at the same time promoting the public good through the improvement of library and information services, the American Library Association falls somewhere between these two definitions, and may, for want of a better term, be called a quasi *public interest lobby* for the purposes of this discussion.

CHARACTERISTICS OF PUBLIC INTEREST LOBBIES

In light of the growing importance of public interest lobbies, students of the political process have sought to identify those functional characteristics that are important to understanding the special nature of public interest group lobbies and that appear to be significant in assessing their effectiveness in influencing the political process. It is useful first to enumerate some of these characteristics and second to determine their relevance to the lobbying and leadership styles of the ALA Washington effort.

Jeffrey Berry (1977) postulates that the effectiveness of public interest lobbies in communicating on behalf of their members "is

determined, in part, by the amount of resources they are able to utilize" (p. 45). Hrebenar and Scott (1982) suggest that "influence in the various areas of American politics is not automatic. It must be built on the foundation of various organizational resources which can be converted into political power" (p. 15).

IMPORTANT RESOURCES FOR SUCCESSFUL LOBBYING

Students of interest group lobbying enumerate several kinds of resources that appear to be relevant measures of organizational lobbying effectiveness. Hrebenar and Scott (1982) are quite explicit in asserting that "if there is a single most useful resource an interest group can possess, it would have to be money" (p. 55). Scholars are quick to point out, however, that while success in lobbying is difficult to achieve if an organization is underfunded, nonetheless the mere capacity to make large expenditures to influence legislation does not, in and of itself, guarantee effectiveness. For one thing, the financial resources that are available for lobbying must be allocated intelligently in order for an organization to achieve maximum impact. One does not lobby effectively simply by throwing money around. Moreover, for tax exempt organizations, the Internal Revenue Code imposes strict dollar limits on expenditures for directly influencing legislation (U.S. Congress, Joint Committee on Taxation, 1987, pp. 4-5). However, Hrebenar and Scott (1982) identify "tax-free status" as an especially valuable resource for public interest lobbies. It is clear that public interest lobbying groups need to be particularly attentive to the importance of both achieving and retaining tax exempt status (p. 56).

Size of membership is generally regarded as a positive asset, especially in relation to "market share," that is to the percentage of the total universe of potential members who are actual members. "Generally speaking," Hrebenar and Scott (1982) observe, "the higher the market share, the more legitimacy an organization has as a voice for that interest and the more power it has in lobbying activities" (p. 53).

STAFF AND LEADERSHIP

Among the most important and valuable resources for effective lobbying is the quality of an organization's professional staff. Berry (1977) postulates that "the strongest lobbies are those with the skill and knowledge that enable them to approach any branch of government as the occasion dictates" (p. 55). He goes on to identify "years of professional staff experience" as "part of a lobby's resources...simply 'being around' helps quite a bit" (p. 86).

The leadership role of staff in relation to elected or appointed volunteer organizational leaders varies considerably from one interest group to another. While noting that many public interest groups at least pay lip service to the concept of democratic leadership, as well as to the priorities of members in setting their legislative and government relations agendas, Berry (1977), in a study of eighty-three Washington public interest lobbying organizations, concluded that:

the boards of directors tend to have a very minor leadership role, or no real role at all, in most public interest groups...their "decisions" are often *pro forma* approval of what the staff has already determined...Even where the staff is not the dominant power in decision-making, it is often the primary source of policy initiation. That is, the staff begins the process of debate on particular issues before the governing body of the organization. (pp. 196-97)

Berry notes, however, that "although the trend toward staff domination is a strong one, there is significant variation within the sample" (p. 197). Some of the public interest groups studied by Berry had no personal members. Moreover, he observed "less of a tendency for older organizations to be staff dominated than for newer ones" (p. 199). Writing nearly a decade after Berry's data were gathered, Hrebenar and Scott (1982) observe that "in many voluntary organizations the elected leadership's role is clearly inferior to that of the appointed staff" (p. 37). With respect to leadership in legislation and policy development, they note as well that "the most important point concerning leadership is that it is situational" (p. 37).

EFFECTIVE LOBBYING TECHNIQUES

There is general agreement that the most effective lobbying techniques fall into four categories: (1) direct or face-to-face lobbying; (2) grass-roots lobbying; (3) intelligence, information and research; and (4) political action committees and fund-raising for candidates. The last of these is, of course, a technique that is not available to tax exempt organizations, which may not engage in any partisan political activity without putting their tax exempt status at risk. Not-for-profit public interest lobbies rarely have the resources to wine and dine those legislators or bureaucrats whose support they seek, not to mention the fact that such use of their resources would be regarded as unethical, illegal, or improper both by their own members and/or by the Internal Revenue Service (Library of Congress, Congressional Research Service, 1986, p. 15ff).

Direct or "personal lobbying" is defined as "a process of trying to activate sympathetic partisans, rather than...a process of persuading the uninformed....Much of the lobbyist's work is to overcome 'marginal attention' toward his or her issue by governmental policy makers" (Berry, 1977, p. 217). Keith Hamm (1983) reports that

experienced Washington lobbyists agree on the importance of traditional face-to-face lobbying and on the need to keep the organization constantly visible on the Washington scene. For example, lobbyists generally believe that, while testifying before Congressional committees "does not have a substantive influence it does seem to have important symbolic value" (Berry, 1977, p. 223). Not all analysts, however, dismiss committee hearings as merely symbolic. Hamm (1983) reports that committee testimony is seen as important by many lobbies and that, in general, lobbyists prefer to have a "working member of the lobby group speak" rather than testifying themselves (p. 231).

Supplementing and/or in some instances supplanting face-to-face lobbying, especially for groups that do not have the resources to sustain a Washington presence, is the newer technique of grass-roots lobbying. Grass-roots lobbying, according to the Congressional Research Service (1986):

has become more popular and its use has increased. There are three reasons for this growth. First, advances in technology, like highspeed laser printers, have made large-scale mailings easier and faster to distribute. Second, advances in statistical analysis and demographic targeting have increased response rates. Third, government officials, especially Members of Congress to whom most grass-roots lobbying is directed, have become increasingly sensitive to constituent pressure. (p. 19)

Although some doubt the influence of orchestrated grass-roots letter writing campaigns, research by Schlozman and Tierney (1983) determined that "if communications arrive in sufficient quantity in congressional offices, they will be heeded no matter how orchestrated they seem" (p. 364). Jerome R. Waldie, a former member of the House who subsequently became a lobbyist, asserts that "grassroots lobbying is 100 per cent more effective than professional lobbying" (Hrebener & Scott, 1982, p. 84).

While traditional methods of influencing legislative bodies appear to have declined somewhat in popularity and effectiveness, the importance of the informational function of the lobbyist seems to be increasing rapidly. Berry (1977) speculates that "it is possible that a group's *information capability* is a much more important factor for gaining access to decision-makers than is the independent skill of its lobbyists" (p. 283). The Congressional Research Service (1986) characterizes Congress as frequently being at once, "a willing suitor and an unhappy victim of pressure groups. Depending upon time, place and circumstance, it welcomes the assistance that groups provide or it assails them for selfishness and obstructionism" (p. v).

Finally, the technique of forming coalitions to pursue either a single issue or a common legislative agenda is regarded as being of paramount importance for public interest lobbying. According

to *Congressional Quarterly*: "A major trend in the mid-20th Century has been the pyramiding of pressure group on pressure group into combinations aimed at accumulating enough collective strength to compel power holders to heed them" (Moore, 1979, p. 9). The Committee for Education Funding, which includes among its members the American Council on Education, the National Education Association, the Association of Research Libraries, and the American Library Association, is characterized by Hrebenar and Scott (1982) as an especially "formidable" lobbying presence on the Washington scene (p. 115. See also Cooke, 1990, pp. 220-21).

LOBBIES AND ORGANIZATIONAL THEORY

Organizational theorists and political scientists commonly describe the relationships among legislators, bureaucrats, and lobbyists (sometimes called the "Iron Triangle") in terms of exchange theory, which postulates that these relationships are characterized by mutually beneficial transactions. "Since each sector of the subsystem can influence, to a certain degree, the goal attainment of the others, there is an incentive for exchanges to transpire which are mutually beneficial" (Hamm, 1983, p. 394). Berry (1977) employs the descriptive and explanatory power of exchange theory to account not only for the formation of interest groups, but also for the participation of volunteer member-leaders in them, suggesting that "individuals enter into interpersonal relationships because they derive some kind of benefit from the relationship or 'exchange'" (p. 21). Certainly the self-aggrandizing desire for status and recognition appears to rival the altruistic desire to contribute professional service in motivating individuals to invest the substantial amounts of time, money, and creative effort that are required to achieve high elective or appointed office in national organizations such as ALA.

One construct from political science that may also prove useful in accounting for the success and failure of certain legislative initiatives associated with the first White House Conference on Libraries and Information Services is David E. Price's (1978) "salience/conflict" model:

Summarizing the influence of perceived incentives and constraints, Price concludes that [legislative] committee members, when deciding where to direct time and effort, take into account the degree of public salience and the amount of conflict....Issues which have low conflict but high salience offer the highest incentives to legislators calculating the likely consequences of initiative and involvement while low-salience, high-conflict areas present the least incentive. (Price cited in Hamm, 1983, p. 408)

Finally, we should take note of the conclusion of Jeremy Tunstall (1986) that "the lobbies have nearly always been the key determinant

of communications policy” in the United States: “Washington policy making in general and perhaps communications policymaking in particular tends toward the model of legal argument between competing lobbies which is fought out before a succession of other lawyers engaged in various judicial and quasi-judicial roles” (pp. 195-97). Later, Tunstall extends his definition of communications policy to include information policy:

Communications policymaking is especially strongly dominated by lobbying, due to a few familiar facts. First, politicians depend on media for reelection, and are thus especially sensitive to phone calls from, or discussions with, newspaper publishers and station managers in their constituencies. Second, the information technology industry, having acquired a unique reputation for commercial dynamism, carries great constituency clout—prestige, employment and government contracts.

A third familiar characteristic of this broad policy area is the paradox of little legislation combined with a massive policy shift. This paradox leaves a wide scope for lobbying. (p. 267)

The temptation to apply Price’s “salience/conflict” construct and Tunstall’s policy development model to the manner in which members of Congress respond to such complex information policy issues as copyright or the creation of a federally funded National Periodicals Center is irresistible.

ALA AS LOBBYIST

The reader familiar with the work of the American Library Association’s Washington office will note similarities between the style and method of operation of that office and the characteristics associated in the preceding discussion with effectiveness in education and public interest lobbying. Indeed, the ALA Washington office has been characterized by experienced Washington observers as a model of excellence in educational lobbying. The ALA office is also held in particularly high esteem by both leaders in the library profession and by rank and file ALA members, as affirmed by the fact that the Washington office and the Freedom to Read Foundation are the only ALA units to receive substantial financial support each year from the voluntary contributions of state library associations, other groups, and individual ALA members.

Library Journal Editor-in-Chief John N. Berry III (1985), weighed the library lobby in the balance in 1985 and did not find it wanting. He characterized the library lobby as “strong, effective and united, particularly on issues relating to information policy and support for citizen access to information” (p. 5). Four years earlier, his fellow editor, Lillian Gerhardt (1981, p. 5), had lavished similar praise on the director of the ALA Washington office as a source of sound advice on grass-roots lobbying with members of Congress in support of library programs. Reporting on the first White House Conference

on Library and Information Services, *Library Journal* noted that, while most "representatives from the American Library Association kept a low profile. . . Eileen Cooke, director of ALA's Washington Office was on hand, and was much praised by Congressmen present." Nonetheless, the same reporters were at pains to point out that WHCLIS-1 "resolutions bearing the ALA imprimatur...often failed when the voting took place," although they did not attempt to account for this seeming paradox (Berry et al., 1991, p. 519).

THE ALA LOBBYING STYLE

Sheldon (1983, p. 30), Cooke (1989, p. 161), and others have underscored the importance of both ALA's Washington presence and of the staff's ability to mobilize a timely grass-roots response, especially when appropriations for existing categorical programs of federal library aid are in jeopardy. Because not all Congressional committee hearings are equally important, and because the Washington office's financial resources are limited, the staff will often file a written statement or, on occasion, present testimony themselves at hearings of lesser significance. But ALA is always represented at key hearings by an elected member-leader and/or a practicing librarian who is, if possible, from the home district of one of the Congressional committee members. ALA sometimes joins forces with other library organizations, such as ARL or ALISE, with a single witness representing two or more groups. Staff characteristically maintain a low profile in such public forums as committee hearings, directing their energies instead to helping member witnesses prepare testimony and following up with continuing personal contacts with key Congressional committee members, committee staff, and senior officials of executive branch and independent agencies that are important to the library community such as the Government Printing Office, the Department of Education's Office of Educational Research and Improvement, and the National Commission on Libraries and Information Science.

A 1985 *Wilson Library Bulletin* profile of ALA Washington Office Director Eileen Cooke highlights four principles that may be said to characterize the ALA lobbying style. In addition to reliance on members to contact their legislators personally about matters that are important to libraries, both the profile and Cooke's own published advice about effective lobbying for libraries emphasize the nonpartisan or bipartisan nature of the library lobby, the importance of ALA's role as a reliable provider of accurate information to members of Congress, and the predominantly educational role of the Washington office staff, not only with Washington policy makers, but also with ALA leaders, rank and file members, and even ALA

staff who may need orientation to the mysteries of the legislative process (Deitch, 1985, pp. 400-02, 431).

ALA's overall success as chief federal library lobbyist may be accounted for in part by the consistent emphasis that its Washington staff places on the informational function. The office's 1975 mission statement notes with pride that:

because of the established reputation of the American Library Association as a primary resource for information concerning library matters, it is extremely rare for the Association to initiate contacts with Members of Congress. Rather, the Association is viewed and used by Congress as a primary resource for information concerning libraries and library service. ("The ALA Washington Office," 1975, p. 2)

This self-characterization may be compared to Hamm's (1983) observation about the importance of lobbyists to legislators as information resources. He reports that "a greater percentage of legislators and their assistants indicate that lobbyists, rather than the administration, are more important as an information source for committee work" (p. 388).

Cooke (1989) has summarized the philosophy and style of the ALA Washington office under the rubric "persistence, persuasion and planning" (p. 164). Her own career demonstrates the significance of staff experience as a valuable organizational lobbying resource. In 1994, she will celebrate her thirtieth anniversary as a member of the ALA Washington office staff. Indeed, the entire Washington office professional staff of three (excluding the postmaster's intern who is appointed for a limited term) exemplifies longevity, dedication, flexibility and patience in pursuing legislative and policy goals. Congressman Major Owens (1990) reaffirms the need for patience and persistence, noting that "at the federal level, the ideas and concepts must have a long gestation period. Decades sometimes pass between the time a legislative concept is launched and the date of final passage" (p. 23).

Owens (1990) also notes the importance of consistency in the library community's legislative stance, both over time and across the spectrum of the profession. Given the crowded Congressional agenda and the intense competition for the time and attention of members, the slightest sign of disagreement among the several sectors of the library community will instantly cause a legislative advocate to redirect his or her attention to another special interest. Owens (1990) shares the emotionally charged personal experience of "the devastating impact of. . . internal division" when two of three national library associations (ARL and SLA) failed to support Owens's 1987 bill to require that the qualifications for the position of Librarian of Congress include training and/or experience as a professional librarian. The consequence, says Owens candidly, was that "the bill

was doomed for the foreseeable future...and the credibility of a major Congressional library advocate was damaged by the official display of disunity among those he sought to represent" (pp. 27-29).

THE LESSONS OF WHCLIS-1

The discussion of the Library Services to Indian Tribes and National Periodicals Center initiatives in this section is based largely on the author's participation in both the preparatory work leading to the first White House Conference on Library and Information Services and in the conference itself as an official delegate. This has been supplemented by interviews with Eileen D. Cooke, director of the ALA Washington office, and with Ray Fry, senior advisor for Library Programs, Office of Educational Research and Improvement, U.S. Department of Education both on February 12, 1991 as well as a review of documents relating to library services to Indian Tribes in the files of the Office of Library Programs.

The National Indian Omnibus Library Bill

The final section of this article examines the fate of two library legislative initiatives that were major agenda items at the first White House Conference on Libraries and Information Service. We will first consider one of the few resolutions adopted by the delegates to the 1979 White House Conference on Library and Information Services that ultimately became law. Title IV of the Library Services and Construction Act, as amended in 1984, provided set aside categorical funding for library services to Indian tribes and native Hawaiians. Specifically, the Library Services to Indian Tribes amendment set aside 2 percent of appropriations for Titles I, II, and III of LSCA for this purpose.

From this author's perspective as a delegate to the 1979 White House Conference, the success of the Indian Tribes resolution represented a case study in single issue politics and a triumph of political organization. It is first necessary to recall that the decade of the 1970s was a period of continued social emphasis on ethnic and racial equality and of increased public sensitivity to cultural diversity. Second, the interest of the National Commission on Libraries and Information Science (NCLIS), especially of Commissioner Bessie B. Moore and Associate Director Mary Alice Hedge Reszetar, in the unmet library service needs of American Indians, assured that this issue would be high on the 1979 White House Conference agenda. Ray Fry and Frank Stevens, of what is now the Office of Library Programs (OLP) of the Department of Education, were early advocates for improved library services to Indian tribes. The OLP had funded numerous institutes for American Indian

librarians under Title II-B of the Higher Education Act of 1965, thus creating a cadre of Indian library leaders who understood not only the library and information needs of their clients, but also how to pursue federal funding for those needs through the mechanism of the White House Conference. Important as well were the interest, advice, and commitment of Virginia H. Mathews, an acknowledged leader in the national and ALA library communities and herself a native American.

NCLIS initiated a series of hearings on library services to American Indians in 1974. This was followed by formation of an NCLIS subcommittee on American Indian Libraries and later by the founding of the American Indian Library Association (AILA) at the June 1979 ALA annual conference immediately preceding the White House Conference. AILA sought and was granted affiliate status with the American Library Association and ALA subsequently provided secretariat services at no charge to AILA through the ALA Office for Library Outreach Services (OLOS).

Of particular significance was the provision made by NCLIS for a special pre-White House Conference for Indian Tribes, similar to the state and territorial governor's conferences but national in scope. It was held in Denver, Colorado, on October 19-22, 1978, some eleven months before the first White House Conference. The commission's rationale was "to insure that the needs and ideas of the on or near reservation American Indian community would be elicited along with those of state groups at the national White House Conference" (Center for Information and Library Services, 1982, p. 2). This pre-conference was described as "the first known Indian meeting concerned with library and information services." ALA was represented not only by such member leaders as Mathews, but also by the then director of OLOS, Jean Coleman (Center for Information and Library Services, 1980, pp. 2-3).

Resolution number 1, adopted by the delegates to the Denver Conference, proposed a National Indian Omnibus Library Bill to be administered by the Office of Library and Information Services of the Department of the Interior. The rationale for this new legislation was provided in a background paper prepared by Virginia Mathews (1978) for the pre-conference. She noted both the "federal government's trust responsibility to provide funds for library and information services in lieu of local and state taxes that are not collected on trust lands," as well as the special problems of state library agencies in both establishing eligibility for Indian tribes to receive LSCA Title I grants and in communicating with the tribes. Her paper further asserted that:

the chief problem of LSCA-I is that it is intended to supplement local and state funds for public library support. Despite the best efforts of federal and many state library officials, LSCA-I funds cannot be stretched to support a full range of library and information services in all Indian communities on or near reservations. This can only be solved by the provision of basic operating funds from the Federal level for library and information services on trust land. (pp. 1, 5-6)

At WHCLIS-1 in Fall 1979, the American Indian delegates performed a tour de force in successfully lobbying the delegates to support the concepts embodied in the National Indian Omnibus Library Bill. ALA supported the proposal, and, indeed, then ALA presidential candidate E.J. Josey testified in March 1983 on behalf of the New York State Library in support of the LSCA amendment that converted Title IV from Older Readers Services, which had never been funded, to Library Services for Indian Tribes. Two days after Josey's testimony, Laura Chodos of New York also testified in general support of LSCA reauthorization on behalf of the White House Conference on Library and Information Services Task Force (WHCLIST), the representative group of delegates officially charged by NCLIS to follow up on, and seek implementation of, WHCLIS-1 resolutions.

In October 1984, with then Congressman Paul Simon of Illinois and Senator Daniel Inouye of Hawaii as its champions, Congress enacted the new LSCA Title IV as part of the LSCA Amendments of 1984 that were subsequently signed into law by President Reagan. The report of the Senate Committee on Labor and Human Resources notes in support of the proposed LSCA amendments that "the delegates to the White House Conference on Library Services and Information Science [sic] made a strong recommendation to Congress that direct services to Indians living on or near reservations be provided for under the Library Services and Construction Act" (U.S. Congress, Senate Committee on Labor and Human Resources, 1984, pp. 7-8).

While enactment of the original Library Services Act took more than a decade, less than six years elapsed between the first public proposal of categorical aid for library services to American Indians and its enactment. How is it that the library service to Indian tribes resolution received such prompt and favorable Congressional attention? Several factors appear to have been at work. First, while it was perhaps not the library community's highest WHCLIS-1 or legislative priority, Title IV was noncontroversial and had no significant opposition from librarians. Second, it required no new funding since funding was set aside from existing LSCA authorizations. Third, it was supported by state librarians, who, while they were the only group that stood to lose financially from enactment

of the new Title IV, would have found it extremely politically incorrect to have opposed it publicly. Moreover, at least some chief state library officers and library development directors were concerned and embarrassed by the general inability of their agencies to identify and serve their potential Native American clientele, as Mathews's pre-conference position paper suggested. Fourth, the legislation had powerful champions in both houses of Congress. But the most important factor in the success of this legislative initiative was effective situational leadership by a small number of strategically placed library leaders who provided astute political guidance to the American Indian library community on how to negotiate the structure of the White House Conference successfully by organizing grass-roots support.

The National Periodicals Center

Twelve months before the first White House Conference on Library and Information Services, a resounding endorsement of the proposal to create a national periodicals lending library with federal funds seemed certain to be among the conference's principal legislative outcomes. All of the predictive indicators of legislative success for the NPC appeared to be in place.

NCLIS, under the leadership of its then Executive Director Alphonse Trezza, and with the support of the Council on Library Resources, the Center for Research Libraries, and the Association of Research Libraries, had earlier established a task force to plan for a National Periodicals System as part of a proposed national library resource sharing network. A 1974 ARL report by Palmour recommended establishment of a single national periodicals center, modeled on the highly successful British Library Lending Division, and proposed the Center for Research Libraries as the most logical site. This was followed by a 1977 NCLIS report, *Effective Access to Periodical Literature: A National Program*, which suggested the Library of Congress as the appropriate organization to develop, manage, and operate a national periodicals center. A year later, the Council on Library Resources weighed in with a *Technical Development Plan* for the NPC (Palmour, 1974; Task Force on a National Periodicals System, 1977; Council on Library Resources, 1978). Well before WHCLIS-1, enabling legislation had been introduced in Congress in the form of a proposed NPC funding amendment to the Higher Education Act of 1965.

At the Fall 1978 University of Pittsburgh Conference on "The Structure and Governance of Library Networks," which was co-sponsored by NCLIS as an official "theme" WHCLIS pre-conference, the proposed NPC was a central focus of discussion (Kent & Galvin,

1979, pp. xv-xvi, 8, 226). It continued to have Trezza's strong personal commitment, but early storm warnings began to appear on the horizon with the Carter Administration's 1978 appointment of a new activist NCLIS chair, Charles Benton. Concerned about complaints by the private sector information industry that the commission, the White House Conference planning process, and the proposed NPC all reflected excessive public sector and library domination, Benton set out to convince the private sector that its views would be heard by the commission. One consequence was the almost complete operational separation of the NCLIS staff from the newly recruited WHCLIS-1 staff. Another was the departure of Trezza in 1980 from the position of NCLIS executive director. A third was reconsideration of the commission's support for the NPC in the form of a new NCLIS-commissioned study carried out by the distinguished consulting firm of Arthur D. Little, Inc. The resulting report, which appeared in October 1979 just before the White House Conference, raised significant questions about the appropriateness and the timeliness of the NPC design (Arthur D. Little, Inc., 1979).

Concurrently, beginning at an NCLIS-sponsored "open hearing" in March 1979, serious objection to the NPC began to be voiced publicly by some sectors of the publishing community. By the time of the White House Conference, their objections had even reached the ears of Senator Jacob Javits who, along with Senator Claiborne Pell and Congressman William Ford, had been counted on as Congressional advocates for the proposed Title II, Part D amendment to the Higher Education Act that would authorize federal funding for an NPC.

The publishers' concerns centered, as they had with the incorporation of fair use photocopying in the 1976 revision of the copyright law, on the potential loss of both library and individual subscription revenues that would likely result from enhancing the infrastructure for library resource sharing of journals. The research library community found itself engaged in open hostilities, not only with commercial publishers, but also with scholarly and not-for-profit publishers such as the Audubon Society who depended on journal subscription revenues for support of other organizational activities. During the six months immediately prior to WHCLIS-1, some of the initial ardor for the NPC began to cool at the prospect of what has been characterized by one very knowledgeable participant as "a monumental copyright problem" (E. D. Cooke, personal communication, February 12, 1991).

At the same time, some influential leaders within the American Library Association were beginning to recognize the likelihood that the White House Conference would not serve as the hoped for

launching platform for a massive infusion of new federal dollars to support local library service. The combined financial impact of defense and domestic entitlement programs, along with debt service for a mounting federal deficit and rampant inflation, was turning the original optimistic expectation that the White House Conference would assure that the federal gravy train would stop daily at the "library" station into a guarded pessimism. With so little prospect of new money being available for discretionary funding of innovative domestic programs, any new Congressional library legislative initiatives might well prove to be a zero sum game for libraries. Specifically, the fear was that the NPC, which was widely regarded by those outside the research library community as a program that would benefit only research libraries, might be funded through reallocation of existing federal library dollars and reduced appropriations for existing library categorical aid programs (Cooke, 1990, p. 222. She points out that, by 1990, 69 percent of the federal budget was committed to the combination of defense and entitlement programs).

Consequently, support for the NPC among librarians, especially public and school librarians, began to erode rapidly in the months immediately preceding WHCLIS-1. This became painfully evident at the hearings relating to the NPC that were held during the White House Conference. Those members of Congress who were present at WHCLIS-1 began to recognize the telltale signs of an absence of unity among their librarian constituents with respect to the NPC.

Nonetheless, the new Title II-D was added to the Higher Education Act by Congress in October 1980 as part of the reauthorization of HEA. However, the Senate Labor and Human Resources Committee report that accompanied the 1980 education amendments termed the proposal to create an NPC "one of the most controversial issues to confront the Committee." "The need to expand and speed access to periodical literature is clear," the committee reported. But it also noted that "an effective and economical solution to meet that need is less readily apparent" (U.S. Congress, Senate, Committee on Labor and Human Resources, 1980, pp. 13-14). This final comment indicated that Senators were aware of the disagreement within the library and the larger information communities about the appropriateness of applying the British Library Lending Division model to the very different geography of the United States. Members of Congress were also aware of the unresolved copyright issues and of some fundamental technical questions raised by the A.D. Little study about optimal NPC design. The NPC proposal increasingly came to resemble Price's "salience/conflict" model, described earlier in this article. Even to some of its strongest professional and citizen

advocates, the NPC had come to look like a program that, at best, would serve only a relatively small bibliographical and scholarly elite in research universities and that, at worst, might prove both an operational failure and a leading candidate for one of former Senator William Proxmire's infamous Golden Fleece Awards—i.e., a classic instance, it would seem, of high conflict and low salience.

Consequently, the addition of Title II-D to the Higher Education Act proved to be a Pyrrhic victory for the proponents of an NPC. Authorization was provided only for further design and feasibility studies at a maximum cost of \$750,000. The Title II-D amendment carried the added Congressional caveat that no funds could be authorized or appropriated for Part II-D unless appropriations for the existing categorical library aid programs within the Higher Education Act (Parts II-A, II-B, and II-C) were at or above the FY1979 appropriations level. The NPC was clearly an idea whose time had come—and passed (*Education Amendments of 1980*, 201).

Time may yet prove that the design of the NPC was indeed fundamentally flawed. It is always possible that its demise was nothing more than yet another triumph for the innate wisdom of the group that is the cornerstone of the democratic form of government. Yet the problem of escalating journal prices is even more serious for libraries of all types in 1992 than it was in 1979. Current proposals for such far-reaching modifications of the scholarly communication system as online, on demand, electronic journal "publishing" immediately face the seemingly insuperable obstacle of the cost of building a new national infrastructure for disseminating the contents of the traditional print scholarly journal. Had an NPC been created in 1980, that needed infrastructure might now be in place, the problem of developing alternative modes of compensation for authors and copyright proprietors would at least have been addressed if not resolved, and a systematic program to assure the physical preservation of the journal portion of the common intellectual heritage could be underway.

Why did the NPC literally "die aborning"? Possibly because its potential Congressional champions had developed an instinctive ability to recognize, and to avoid as the plague, legislative initiatives of the "low salience/high conflict" variety and/or those about which the sponsoring interest group was in less than unanimous agreement. It failed very probably as well because its proponents were unable to build grass-roots support systematically and failed to recognize signs of erosion of the constituent support base. Almost certainly: (1) because of a leadership shift both at the National Commission and in ALA, (2) because NPC advocates underestimated the importance and the influence of opponents in the information

industry, and (3) because basic issues such as copyright and NPC design were addressed both minimally and in a seemingly cavalier fashion. Parenthetically, many of these same observations might be made about the current state of proposals for a National Research and Education Network (NREN). Finally, despite the claim of NCLIS that "twenty-two of the sixty-four [WHCLIS-1] resolutions are addressed in full or in part by the new LSCA," it seems that the profession's national agenda for WHCLIS-1 was unrealistically ambitious for a time of federal fiscal austerity. Items like an NPC (or an NREN) can easily be lost in an unprioritized sixty-four item set of White House Conference resolutions (U.S. National Commission on Libraries and Information Science, n.d., p. 48).

ALA AS LOBBYIST: STRENGTHS, LIMITATIONS, FUTURE PROSPECTS

The American Library Association today exemplifies many of the characteristics that are regarded as indicative of success in lobbying and in influencing national information policy. Among these are the size of the ALA membership, both as an absolute number and as a function of the total domestic library profession. The association also possesses substantial financial resources as a consequence of a highly diversified revenue stream, while retaining intact its tax exempt status. The centerpieces of its legislative program, LSCA and HEA Title II, are valued by the field far beyond what might be expected given their relatively small dollar base. The tendency to parcel out the limited federal dollars in the form of many small grants, coupled with the very narrow discretionary range in most library budgets, results in a large programmatic return on a very small federal investment.

The categorical library aid programs exemplify as well, in their management at both federal and state levels, the fundamental precept of political survival that it is better to have many friends who are slightly indebted to you than to have only a few friends who owe you a lot. Similarly, having a broad array of legislative and programmatic interests at the federal level carries with it the self-protective mechanism that all of the profession's legislative eggs do not reside in a single basket.

ALA has a strong and effective grass-roots lobbying network in place along with a superb Washington office staff that is well schooled in maintaining a low public profile vis-à-vis member leaders. Continuity in staffing the Washington office not only puts the important resource of many years of successful lobbying experience at the disposal of the ALA leadership, but it also assures continuity and persistence in pursuing clearly defined long-range legislative and policy goals.

Every organizational strength, if carried to an extreme, becomes a potential weakness. Some have criticized the ALA legislative program for failing to keep pace with changes both in libraries and in the larger information world. Categorical federal aid programs such as LSCA and HEA have been unfashionable with presidents and their budget directors for more than two decades. To some, LSCA and HEA reflect a legislative philosophy of the 1960s rather than of the 1990s. In the calls for expanded programs of federal categorical library aid that have emerged from the current round of pre-White House governor's conferences, one discerns both a seeming absence of political astuteness and what that legendary wordsmith Yogi Berra once termed "deja vu all over again."

ALA has not yet fully established itself as a major organizational "player" in the larger Washington arena of ongoing debate on the full range of issues of information and public policy. Its legislative and policy interests are still perceived in some quarters of the Washington community as narrowly partisan and as exclusively focused on traditional "library" issues. The absolutism and accompanying rigidity of some ALA legislative and information policies ignores the reality that politics is the art of compromise, and that flexibility and a willingness to negotiate and compromise are essential. Even more distressing is the association's continued inability to subject some of its longstanding and absolutist policy positions, such as its policy statements opposing fees for library services and repeal of the Fairness Doctrine, to even a critical internal review (Hodges, 1990, p. 253; ALA, Legislation Committee, n.d., p. 17).

WHCLIS-2 offers the library community a further opportunity to elevate information policy issues to a higher place on the national domestic policy agenda. Whether the profession can seize that opportunity and exploit it to the fullest will depend in part on the ability both to replicate past lobbying successes and to learn from past failures.

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