Library and Information Policies in the US – Historical Study

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Abstract
The first federal law of Library Services Act in the U.S. passed in 1956. The fact that Museum and Library Service Act became Public Law in 1996 authorized the institute to support for library services. Yet the legislation process has always been complex. For example, in 2014 the issues of information as public goods or private property, information access as basic human right have been the subject of intense debate. This study is designed to provide an analysis of important legislation that would affect library and information policies and privacy. Two research questions are proposed: (1) What are the library and information service related laws in the U.S.? (2) When and how these laws are realized? Historical research approach and content analysis were applied. This poster will present an inventory of information related bills and Laws chronologically and give a historical overview on two selective areas to illustrate the key factors that made the success of legislative results.

Keywords: Library Service Act; Information Service Policy; Information Policy; Museum and Library Service Act; Institute of Museum and Library Services


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1 Introduction
Since the first federal law of Library Services Act in the U.S. passed in 1956, public libraries in the states have been flourishing. During these years, U.S. also passed Higher Education Law to support the academic libraries and to fund PhD grants in LIS education. Therefore information related law passed can determine the quality of library information services in the information society. Following the path of very fruitful information related law passed in the 1960s and 1970s, later Museum and Library Service Act (MLSA) became Public Law in 1996, and authorized the institute to support for library services. Yet the legislation process has always been complex. For example, in 2014 Representative Paul Ryan recommended to slash the federal budget of MLSA and transfer to private sector. The issues of information as public goods or private property, information access as basic human right have been the subject of intense debate. Luckily enough, this important Public Law passed again. It is important to trace, explore and understand the legislative activities in the field of information related policies. This current research proposes two questions: (1) What are the library and information service related laws in the U.S.? (2) When and how these laws are realized?

2 Methodology

Data collection and data analysis
LIS related Bills and Acts between 1956 to 2016 in the U.S. were retrieved through the U.S. juristic retrieval systems "Congress.gov" of the Library of Congress. 204 items of bills and public laws were collected and analyzed. Following content analysis of systematic categorization of text (Krippendorff, 2012), six categories were identified, including A) Library and Information Services, B) Education, C) Information
Policy, D) Literacy Education, E) Copyright and F) Privacy. These Bills and Public Laws were then arranged by the categories. Within each category, subcategories were developed if necessary. The titles of the Public Laws and Bills were listed chronologically based on the developed scheme. The selective Public Laws and their development were then analyzed by using historical analysis.

3 Preliminary Results

3.1 Content Analysis

A total of 198 Bills and Public Laws retrieved were categorized and calculated. The category of Information Literacy, with the largest number of instances, has a total of 72 items, with 67 Bills and 5 Public Laws. The second is Copyright, with a total of 28 Bills and 13 Public Laws. Library and Information Services is the third largest category, with 19 Bills and 14 Public Laws. Education has 15 Public Laws and 17 Bills. Privacy has a total of 20 items, with 17 Bills and 3 Public Laws. An inventory list as a genealogy of Library and Information policies will be presented. The number of Public Laws and the Bills in each category are presented in Table 1.

<table>
<thead>
<tr>
<th>Categories</th>
<th>Public Law</th>
<th>Bill</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Library and Information Service</td>
<td>14</td>
<td>19</td>
<td>33</td>
</tr>
<tr>
<td>(B) Education</td>
<td>15</td>
<td>17</td>
<td>32</td>
</tr>
<tr>
<td>(C) Information Literacy</td>
<td>5</td>
<td>67</td>
<td>72</td>
</tr>
<tr>
<td>(D) Copyright</td>
<td>13</td>
<td>28</td>
<td>41</td>
</tr>
<tr>
<td>(E) Privacy</td>
<td>3</td>
<td>17</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>148</td>
<td>198</td>
</tr>
</tbody>
</table>

Table 1. Number of collected Public Laws and Bills (Nov, 2016)

3.2 Historical Analysis

This research selects two categories for further historical analysis, (A) Library and Information Service and (F) Privacy as the preliminary results.

3.2.1 Library and Information Service

The data for historical analysis are collected from the Congress website, ALA website as well as ERIC database, Google search, and other commercial databases. It is found that the professional organization, such as ALA (American Library Association) plays an important role in legislative processes. Since the first related Act of libraries – “Library Service Act” had been put forward from the United States in 1956¹, the federal government has successively developed for the library-related bills and public laws. The related Public Laws are Library Service and Construction Act, Museum and Library Service Act. With regard to school libraries, The No Child Left Behind Act and Every Child Achieves Act. And then until 2010, the latest Amendments of the “Museum and Library Service Act” had been pushed through². The related Act of Library and Information’s legislation and amendments are all relied on ALA’s lobbying. Due to the strong advocacy by ALA, it helps to make the representatives understand the important role and impact of Library and Information services on public education in the U.S. society. The representatives’ approval is key to the successful legislation. Then the establishment of 'Institute of Museum and Library Services'³ (IMLS) was passed in 1996². With a specialized institute to plan and allocate funds to support library and

¹ https://www.ideals.illinois.edu/bitstream/handle/2142/6824/librarytrendsv24i1c_opt.pdf?sequence=1
information services, the profession of library and information services has been strengthened and well established.

In 2014, due to civil opposition and the boycott of non-profit organizations of libraries\(^4\) there was a call for budget cuts\(^5\). Although it ended up reversing the budget cuts, there were debates all the time. Over the past years of the legislative processes, it is found that the professional organization has put their efforts in the legislative processes all the time to support and secure the pass of the related library service Laws. The evidence can be traced from the earlier library procurement of collections\(^6\) and building construction\(^7\), to the digitalization development in recent years in the areas of Library and Information services. Over time, Acts are always updated or revised to implement legislation for the maximum benefits of the people, the society, and the nation.

3.2.2 Privacy

Congress enacted the Privacy Act in 1974 to regulate the US federal agencies to obtain information, storage and dissemination, which opened a new era with the statute to protect the privacy of personal information. Since then, the federal government has successively developed for different purposes the privacy-related bills and public laws. In terms of education, there is, Family Educational Rights and Privacy Act. With regard to finance, there is The Right to Financial Privacy Act. For the development of multimedia and communications, there are the Electronic Communication Privacy Act, Video Privacy Protection Act, the Children’s Online Privacy Protection Act, etc. Visibly, U.S. has established a complete system of legal protection of privacy, which has details of the relevant legislation, specialization, age-oriented features, provides a good reference for the information society nowadays. Further analysis will be on those organizations, professions, parties or individuals who put efforts in promoting and protecting the privacy legislative activities.

Library and information services need to be familiar with Privacy related legal issues in two ways: one is to protect personal privacy as a public institution, and the other is an educational role to provide privacy legal information to educate citizen in the information society.

4 Conclusions

This poster presents an inventory of information related bills and Laws chronologically and gives a historical overview on two selective areas that illustrate the key factors of which made the success of legislative results. It seems that the profession participation, the individual legislator’s passion, and the need of the society are among the major forces.

5 References


\(^6\) Farrell, M. (2012). A brief history of national support for libraries in the United States. In 78th IFLA General Conference and Assembly (pp. 1-10)

\(^7\) S.3984,111d Cong.,Cong.Rec.H8318-8321(2010)


