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To: Senator Patrick Leahy,
Chairman, Senate Committee on the Judiciary

From: Martha Reid, Vermont State Librarian

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Subject: Testimony for Committee Hearing “Preserving an Open Internet: Rules to Promote Competition and Protect Main Street Consumers.” University of Vermont, Burlington, VT

Senator Leahy and members of the Senate Committee on the Judiciary,

Thank you for your invitation to testify today on behalf of libraries and an Open Internet. I am joined today in this room by members of the Vermont library community from academic, school and public libraries. We are united in our belief that an open and innovative Internet is essential to our nation’s freedom of speech, educational achievement, economic vitality, and equal access to information. An Open Internet is fundamental for libraries to fulfill their mission to provide students, government employees, teachers and faculty and the general public – citizens of all ages and backgrounds – equal access to information and to the wide variety of digital resources and opportunities made available via the Internet.

It has always been and remains today a core value of libraries to preserve the free flow of information. It doesn’t matter whether that information comes in print or audio-visual or digital format. Intellectual Freedom – the right of citizens to have access to information, including that which may be controversial, is a hallmark of our democracy and of libraries. In my 30 years of work in public libraries, I have seen firsthand why no-fee access to information – including a wide range of viewpoints and opinions – is so critical to an informed and engaged citizenry. The Internet is a significant part of today’s library of knowledge and opinion, and whether the information needed at any particular moment by any particular individual is about jobs, schoolwork, entrepreneurship, healthcare, personal finance, e-commerce or the agenda for next week’s local school board meeting – it’s all vital to the end user. Currently, this information – as well as the opportunity for citizens to create and distribute their own content -- is open and freely accessible on the Internet. And it needs to stay that way.

Today’s technologies permit libraries – and individuals – to create and disseminate their own information. We are not just providers and consumers of information, but creators as well. Libraries collect, organize and make available unique combinations of online resources for our users: local history, resources for job-seekers, consumer information, subject-area research tools and homework help for students. And we know that users also benefit from being able to create their own information, use their own voices – and to be seen and heard on the Internet. This is another aspect of the Internet necessitating network neutrality so that all voices can be heard, that the First Amendment can apply to the Internet and that the great capacities and benefits of the Internet can be realized by all – not just those who are able to pay.

The Internet provides all of us with a platform for the open exchange of information and ideas, intellectual discourse, civic engagement, research, innovation, teaching and learning. Access to the Internet has revolutionized libraries and the services that we provide to our users. This is true for libraries of all types, but in this testimony I want to focus on how the Internet is used in our public libraries – and why the Internet functions best when it is open to everyone on an equal basis, without interference or restriction by Internet providers.

Vermont is a small state with a population of just under 631,000. We have 183 public libraries, more libraries per capita than any other state. Only 17% of these libraries serve populations greater than 5,000, and only two libraries serve populations greater than 20,000. We are a state of small, rural communities and our public libraries – like libraries across the country – are often the only place in town for free Internet access. Public libraries are the “go-to” places for job-seekers, independent learners, researchers and local entrepreneurs. Nearly all public libraries in this country offer free public computers with Internet access and public WiFi. How else are local residents who have no computer or Internet access at home going to locate job openings – or file the online job applications that are now required by so many employers? How will they be able to access e-government services? Last year Vermont libraries reported 3.6 million visits and 4.5 million items checked out. But this does not fully reflect the increasing demand for library technology – both inside the library building and remotely from home, school and office via the Internet. In addition to computers and Internet access, libraries offer e-books and other e-resources for free download to laptops, mobile tablets and smartphones.

In Vermont citizens can use their personal public library card to logon from any computer device to the statewide Vermont Online Library, a collection of licensed subscription-based resources, including thousands of full-text articles from magazines and newspapers, car repair videos, reliable health and medical information, interactive language learning, tools for creating resumes and business plans and rich content on science and current affairs. In addition, the Department of Libraries provides every Vermonter no-fee access – via their library card barcode – to over 500 online classes in a program called Universal Class: self-paced learning with live remote instructors on topics that range from digital photography and knitting to astronomy, bookkeeping and business writing. Our libraries provide the access – levelling the playing field for citizens and entrepreneurs who need these learning and training opportunities. Recently I was approached by the custodian in a small library who thanked me for providing this service in his town – he had used his home computer to complete five different history classes, his personal interest and passion.

In Vermont, 53 public libraries have high speed, high-capacity fiber broadband, thanks to a federal BTOP grant. In Readsboro (population 814), a local entrepreneur who operates a home-based business has started doing his work at the public library because the fiber connection is so fast and efficient. National studies show that citizens often choose to use public library Internet and Wi-Fi – even if they have it at home. Why? It may be because the connection is faster, but people also like the library environment, the connection with their local community, easy access to other library resources, and the assistance of a trained librarian, when needed.

In Arlington (Vermont) the public library serves a population of about 3800 with a new high-speed fiber connection. They have used laptops and a scanner to put their local history online, including a collection of wonderful historic photographs of surrounding towns. Arlington is also one of 14 Vermont public libraries that last year launched free community videoconferencing. Using high-quality microphones, cameras and large screen monitors, these libraries have hosted no-fee online long-distance interactive business seminars, long-distance job-interviews

for individuals and online meetings and trainings – sometimes with viewers tuning in from multiple library sites. This is all web-based so unimpeded Internet access is critical.

Library patrons use the Internet to stream audio and video and to Skype distant family and friends. They also upload content – and that reflects the evolving role of libraries as places for content creation. Local authors, innovators and entrepreneurs use the public library Internet to upload and share their unique content with the rest of the world. This promotes collaboration in learning, in research and in business development. In addition to purchasing licensed subscription resources for their users, libraries are creating their own content for the Internet. Public libraries are following the lead of our school and academic libraries which create MOOCs and other online instructional resources and post student projects and interactive learning via the Internet, and we are seeing development of unique online content in even our smallest public libraries.

Internet resources must be both affordable for libraries and freely accessible to those we serve. Without the Open Internet there is a danger that libraries will face higher service charges for so-called “premium” online information services. This could result in fast access to for-profit higher education or other commercial educational entities over local community colleges, or quick results leading to Disney services to children over access to quality children’s literature. This would clearly place limitations on the amount or quality of information libraries can provide to their users. There simply cannot be a system of tiered Internet access in this country that would set limits on bandwidth or speed because of paid prioritized transmission. Such a scheme would only increase the gap that already exists between the “haves” and the “have nots” and would create friction and, in some cases, insurmountable obstacles for citizens to get the information they need. Bowing to powerful corporate interests that would take control of the Internet pipes would put libraries and the millions of citizens they serve at risk. Imagine the consequences: libraries would be forced to just turn off access to vital information for those who need it most. We cannot afford a society where information is available to only those who have deep pockets.

I have spent my entire professional life working in libraries to ensure that information resources are freely available to all citizens on an equal basis. All Americans -- including the most disenfranchised citizens, those who would have no way to access the Internet without the library – the unemployed and underemployed, those who are in need of good health information or e-government services, New Americans struggling to adapt to their new country, those who cannot afford home Internet service or who lack the skills to use computers, and those who may want to create and share their own information -- need to be able to use Internet resources on an equal footing.

Americans depend on ready and equal access to all that the Internet – the amazing and mind-boggling range of Internet content and resources – offers to them to live their daily lives, to improve their education and job skills, to find employment and to contribute to the local economy. An Internet that is anything but open and providing equal access for every citizen is simply not an option. An Open Internet is not a privilege for the affluent; it is a right for every one of us. The bottom line is this: we need legally enforceable rules that will protect the Open Internet. We cannot simply “trust” that Internet Service Providers will do the right thing.

Senators, you have an opportunity to do the right thing for America. You have a choice – to advance the work of our libraries and other learning institutions and to protect citizen access to the Internet – or to take that right away and to give these opportunities only to those citizens or entities which can pay. As a representative of the State of Vermont who works with libraries statewide and with other state librarians across the country, and as an American citizen, I

expect you to make the decision that is best for all of us and which strengthens our country. Please champion Net Neutrality and do all you can to support an Open Internet. Americans everywhere will thank you for your vision and your steadfast defense of our most cherished freedoms.

I want to thank you, Senator Leahy, for your leadership on this issue and for scheduling today's hearing. Your introduction, with Congresswoman Matsui, of the "Online Competition and Consumer Choice Act of 2014" takes us in the right direction and I applaud you for your strong stance for an Open Internet. Thank you.

Please share these talking points with your fellow Senators:

- **The Internet must remain open on an equal basis to all citizens -- and to libraries.** Millions of Americans rely on libraries to deliver web-based resources and online communication tools and to permit users to create and disseminate their own content.
- **Those who work in and use America's libraries believe that Broadband and Internet Service Providers should operate their networks in a neutral manner** without interfering with the transmission, services, applications or content of Internet communications.
- **Preserving an open Internet is essential to our nation's freedom of speech, educational achievement and economic vitality.**
- **Libraries are seeing an increase in both the downloading of Internet content and the uploading and sharing of one's own creative and innovative information.**
- **Prohibit Paid Prioritization on the Internet.**
- **Libraries both generate and subscribe to digital content services. There is a danger that libraries could face higher service charges for so-called "premium" online information and services. This would, in turn, place limitations on the amount or quality of information libraries can provide to their users.**
- **We need legally enforceable rules that will protect the Open Internet.**