

Written Statement of

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Before the

Congressional Forum on Net Neutrality

Hosted by Congresswoman Doris O. Matsui

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Congresswoman Matsui, I appreciate the opportunity to come before you today at this congressional forum on net neutrality. I also want to thank FCC Commissioners Clyburn and Rosenworcel for their leadership role on this important issue.

The subject we are discussing today is critical to the Sacramento Public Library Authority. Our community, and indeed our library, is a microcosm of America. I am grateful for the opportunity to be here today representing our community of users.

Sacramento Public Library is the fourth largest library system in California, serving 1.35 million people at 28 locations, ranging from the iconic 160,000-square-foot Central Library in downtown Sacramento to our smallest facility of 1,700 square feet in Isleton. We are proud to serve one of the most diverse communities in America and to provide services that prepare young children to enter school ready to read, offer assistance for jobseekers and help adults who fell through the cracks in our educational system complete their GEDs. We are also extremely honored to be only the second library in the United States to offer an accredited online high school diploma. Most importantly, we furnish free access to information in all of its many formats. We provide a vital service to our community, especially in hard-to-reach locations, thus creating equity of access to all of our users, whether they live in

the smallest and most remote regions of our service area or within steps of Sacramento City Hall.

Two policies guide Sacramento Public Library's philosophy of access: the Library's Collection Development Policy, approved by the Sacramento Public Library Authority Board on January 27, 2011, and the Library's Internet Access Policy, approved on March 22, 2007.

The Library Bill of Rights, the Freedom to Read Statement and the Freedom to View Statement adopted by the American Library Association are the underpinnings of the Sacramento Public Library's Collection Development Policy. Our policy affirms that the fundamental role the collection plays in a successful library is free access to information. As a librarian with more than three decades of experience in the profession, I have seen the formats change, but the principles remain constant.

Access to the Internet is simply one more tool that allows librarians to bring people and information together. The principles that guide our collection policy also guide our Internet Access Policy, which states, "The Sacramento Public Library provides public access to the Internet as part of its mission to deliver services and materials to meet the information needs of its customers," and furthermore, "The Sacramento

Public Library upholds and affirms the right of each individual to have access to constitutionally-protected materials.”

Library users in Sacramento County depend on ready and equal access to the Internet. We are witness daily to the opportunities that access offers to them; to improve their education and job skills, to find employment and to contribute to our local economy. An open Internet is not a privilege for the affluent; it is a right for every one of us. We must do all we can to ensure that the Internet remains open and accessible to all. We cannot trust that Internet Service Providers will do the right thing. Therefore, we must ask the FCC to ensure that they do. We need enforceable rules that protect equitable access to electronic resources and the ability for library users—and all Internet users—to create and disseminate their own content and applications without paying a toll to do so.

Internet resources must be both affordable for libraries and freely accessible to those we serve. Without this guarantee, there is a danger that libraries will face higher service charges for so-called “premium” online information services. This could result in for-profit colleges or other commercial educational entities having faster access than local community colleges. Even more devastating in my mind is a model that takes children to commercial services, but leaves library-curated

resources lagging behind. Either of these scenarios would place limitations on the amount or quality of information libraries can provide to their users, or fool unsuspecting parents or users into paying for something that the library offers for free.

We must not allow a system of 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.” In addition, it would create friction and, in some cases, insurmountable obstacles for citizens to get the information they need. Bowing to corporate interests that would take control of Internet transmission would put libraries and the millions of citizens we 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 only to those who have the means to purchase it.

Preserving an open Internet is essential to our nation's freedom of speech, educational achievement and economic growth. Let's prohibit paid prioritization. Let's prohibit blocking access to web sites, applications and Internet-based services, and please, let us provide transparency around network management.

Our nation's libraries and educational institutions are leaders in creating, fostering, using, extending and maximizing the potential of the Internet for research, education and the public good. We depend upon an open Internet to fulfill our missions and serve our communities. That is why, I, along with the American Library Association, support legislation introduced by Congresswoman Matsui and Senator Patrick Leahy of Vermont that would prohibit paid prioritization agreements.

We need the same quality access to online educational and digitized content as we do to entertainment and other commercial offerings. Libraries and schools have a stake in ensuring that our patrons, students and educators are able to access all the content we generate, as well as the wider Internet services.

Cosmo Garvin, a writer for our own Sacramento News & Review, said it well. "Those who can pay the highest prices will get on the information superhighway. Those who can't will be stuck in the Internet slow lane." I believe what I told him: "That lane is going to be rutted and full of **potholes**. Our ability to provide access will be compromised if it becomes a pay-to-play system."

Our students and lifelong learners rely on open educational content to complete school homework assignments, engage in distance-learning

classes, access electronic resources and pursue any creative endeavor. Please do not force us into a decision in which we have to make a choice between providing high-quality electronic resources or paying more to provide our patrons with access to critical information. A model that forces libraries and schools to face higher service charges for online information and services if content providers pass along their higher costs is a very dangerous model.

The Internet functions best when it is open to everyone, without interference by Internet access providers.

Paid prioritization is inherently unfair and could be particularly harmful to libraries and education, research and learning organizations that do not have the resources to pay additional fees. For instance, a paid prioritization regime could give broadband companies an incentive to allocate all of the growth in bandwidth capacity to commercial entities that have greater resources than education and library organizations.

There should be no difference in the open Internet rules for wired and wireless services. Technology and use distinctions that would justify such a difference no longer exist -- if they ever did -- and the role of mobile services in education, research and learning continues to expand,

highlighting the importance of an open Internet regardless of the mode by which it is accessed.

Over the last few months, we have seen a record number 3.7 million Americans take time out of their day to share their voices and opinions on the Open Internet proposal put forth by FCC Chairman Tom Wheeler. I believe the Commission should go through the public comments carefully and develop a final Net Neutrality proposal that will include strong, transparent and enforceable rules. The rules should allow unfettered access to Internet traffic in a non-discriminatory manner and preserve the culture and tradition of the Internet as an open platform for research, education and the exchange of information.

An Internet that is anything but open and equally accessible for every citizen simply should be not an option.

I want to thank you, Congresswoman Matsui, for your leadership on this issue and for scheduling today's hearing. I applaud you for your strong stance. Thank you and FCC Commissioners Clyburn and Rosenworcel for your leadership in making sure that we all have the opportunity to make our voices heard.