

Public Affairs and Advocacy

Report on CARL's 2015-2016 Public Affairs and
Advocacy Activities

April 2016



CARL's Advocacy Context

The Canadian Association of Research Libraries (CARL) represents the country's twenty-nine largest university libraries. Enhancing research and higher education are at the heart of CARL's mission. CARL promotes effective and sustainable scholarly communication, and public policy that enables broad access to scholarly information.

Our association includes two national library organizations that are part of the Government of Canada: Library and Archives Canada (LAC) and the National Research Council's Knowledge Management directorate, which the national science library. They do not participate in any of CARL's advocacy activities.

Our public affairs and advocacy activities are led by the CARL office in Ottawa. The Executive Director, Susan Haigh, is the lead on this file, with support provided by a government relations consultancy firm, Temple Scott Associates (TSA) and staff.

Starting in April 2016, CARL's work in this area will be informed and guided by its new Policy Committee, which is chaired by Gerald Beasley (University of Alberta).

CARL's Positioning & Developments

CARL's advocacy efforts follow the parliamentary and federal budget cycles. Parliament usually sits from late September to mid-December and from late January to mid-June while the federal budget is presented to the House of Commons in February or March. We participate in the House of Commons Standing Committee on Finance's pre-budget consultations (midsummer to early-fall) as well as in the Department of Finance's consultations, usually in January/February.

Our government relations firm is preparing a letter to introduce CARL and its main preoccupations to a range of MPs, Cabinet Ministers, and committee chairs, now that those have been named. The letters will likely be sent in early May.

CARL's key public policy messages emphasize four broad areas of interest, namely: government support for research and its infrastructure; support for national libraries and the preservation of documentary heritage; enabling broad access to information; and balanced copyright. This shapes our advocacy efforts as we emphasize one issue or another, depending on the forum. We monitor and, as it may seem appropriate, respond to policy developments in our fields of interest throughout the year.

CARL's public statements, briefings and publications are made available on the CARL website.

Political Developments in 2015-16

Last year saw the election on October 9 of a Liberal majority, under Justin Trudeau, with 184 seats of 338 (54.4%). The Conservatives became the official opposition with 99 seats (29.4%) and subsequently Stephen Harper resigned as party leader and was replaced on an interim basis by Rona Ambrose. A split in the Quebec vote reduced the New Democratic Party under Thomas Mulcair back to their normal standing as a third party with 44 seats (13%), and he has just been

voted out as leader at the party's national convention in April. While the Bloc Quebecois under Gilles Duceppe won 10 ridings (3%), Duceppe failed to win his seat and subsequently resigned as leader. Green Party leader Elizabeth May retained her seat, but remains the sole Green party elected member.

Federal Caucus and Cabinet

Prime Minister Trudeau's Caucus features 184 MPs drawn from all provinces and territories. Many of the new MPs are first-time Parliamentarians. The new Cabinet is dominated by individuals who are new to national Government, comprised of 6 individuals with prior experience as a Minister, 6 people with previous experience only as an MP, and 19 newcomers with strong personal credentials, but no federal political experience. Several of those rookies have been appointed to portfolios that are critical to the Government's agenda, including Finance, Infrastructure, and Environment. However, many of the Ministers have backgrounds in provincial and municipal government and/or significant academic, professional and personal experience in their portfolios.

Delivering on a campaign promise, Prime Minister Trudeau's Cabinet is gender balanced, with 15 female and 15 male Ministers. The Cabinet also has an unprecedented 4 Sikh-Canadian members. Regional representation has long been an important factor in Cabinet-making. True to form, Prime Minister Trudeau's Cabinet includes at least one representative from each province and one representative from the territories.

Central to the Liberal campaign was the pledge that the Party would conduct the business of Government in a different way than the perceived manner of the Conservative incumbents, both in tone and substance.

The Liberal government is showing a clear commitment to quickly advancing several policy proposals that were central to the Party's election platform. One of their first acts was to reinstate the long-form census – an decision that CARL applauded.

Government Priorities

During the Election 2015 campaign, the Liberals frequently promised that their new government would continue to focus above all else on economic issues, arguing that Canada's growth under the Conservatives was too weak. The central plank of the proposed Liberal economic plan was a doubling of federal infrastructure investments, from \$60 billion to \$120 billion, in an effort to stimulate the economy. In so doing, the Liberals proposed to run deficits of \$10 billion in each of the next three years.

However, by the time Budget 2016/17 was tabled, the proposed deficits had increased to as high as \$30 billion in the coming years. Infrastructure development remains a major focus in Budget 2016/17, but the budget also allocated significant funds to programs aimed at improving the quality of life of First Nations and a large portion of the budget was taken up by the Government's new Universal Childcare Benefit. The Liberals hope that such spending will stimulate the economy and allow for investment in infrastructure that will increase Canada's capacity to conduct international and internal trade.

One of Prime Minister Trudeau's first acts as Prime Minister was to hold a meeting with the Premiers. Items on the agenda for the Federal-Provincial summit were: the environment, healthcare, pension reform, and infrastructure. All of those policy areas remain major priorities for the Trudeau administration, and ones where the Government will look to continue to collaborate with the provinces.

Other major priorities for the Trudeau government are to make amendments to Bill C-51, which was the Conservatives' anti-terrorism legislation (including changes to provisions about terrorist 'literature' and requirements for ISPs to remove terrorism-related content), and Parliamentary reform (both for Senate appointments and the electoral process).

Budget 2016

The Trudeau government's first [budget](#) was tabled March 22, 2016.

General

The budget projected deficits through 2020-21, with a commitment to lower the debt-to-GDP ratio over the same five year period. The deficit will be 29.4 billion in 2016/17, diminishing to \$14.3 billion in 2020/21. The debt-to-GDP ratio will be 32.5% in 2016/17, diminishing to 30.9% in 2020/21.

Post-Secondary Research Funding

Budget 2016 proposes to provide an additional \$95 million per year, starting in 2016–17, on an ongoing basis to the granting councils—the highest amount of new annual funding for discovery research in more than a decade. The allocations are:

- \$30 million for the Canadian Institutes of Health Research;
- \$30 million for the Natural Sciences and Engineering Research Council;
- \$16 million for the Social Sciences and Humanities Research Council; and
- \$19 million for the Research Support Fund to support the indirect costs borne by post-secondary institutions in undertaking federally sponsored research.

Together with the funding provided to the granting councils in Budget 2015 of \$46 million in 2016–17 and ongoing, a total of \$141 million in new annual resources has been made available to the granting councils going forward.

To ensure that federal support for research, including through the granting councils, is strategic and effective, the Minister of Science will undertake a comprehensive review of all elements of federal support for fundamental science over the coming year. In order to strengthen the granting councils and Canada's research ecosystem, the review will:

- Assess opportunities to increase the impact of federal support on Canada's research excellence and the benefits that flow from it;
- Examine the rationale for current targeting of granting councils' funding and bring greater coherence to the diverse range of federal research and development priorities and funding instruments;

- Assess the support for promising emerging research leaders; and
- Ensure there is sufficient flexibility to respond to emerging research opportunities for Canada, including big science projects and other international collaborations.

New Post-Secondary Institutions Strategic Investment Fund

Budget 2016 proposes to provide up to \$2 billion over three years, starting in 2016–17, for a new Post-Secondary Institutions Strategic Investment Fund, a time-limited initiative that will support up to 50 per cent of the eligible costs of infrastructure projects at post-secondary institutions and affiliated research and commercialization organizations, in collaboration with provinces and territories. This initiative is aimed at enhancing and modernizing research and commercialization facilities on Canadian campuses, as well as industry-relevant training facilities at college and polytechnic institutions, and projects that reduce greenhouse gas emissions and improve the environmental sustainability of these types of facilities. Work is underway, in consultation with the provinces and territories, to implement this initiative as quickly as possible.

Student Loans

Beginning in the 2016/17 school year, Canada Student Grants will be augmented by 50% for low-income, middle-income, and part-time students. Subsequently, beginning in 2017/18, the existing low and middle-income thresholds will be replaced with a single progressive threshold, under which grant amounts will gradually decline based on income and family size. As of 2016/17, the Government will require students to repay their federal loans only when they are making an income of at least \$25,000/year. Students will also benefit from a flat-rate contribution to their tuition in order to qualify for federal loans, allowing more students to work during their schooling without jeopardizing their access to federal assistance.

Access to Information

To make it easier for Canadians to access government information, including their personal information, the Government proposes to create a simple, central website where Canadians can submit requests to any government institution. This will be backed up with a 30-day guarantee for personal information requests: should a request take longer than 30 days to fulfill, the Government will provide a written explanation for the delay to the requester and to the Privacy Commissioner. Budget 2016 proposes to provide the Treasury Board Secretariat with \$12.9 million over five years for these activities.

In addition, informed by consultations with the Information Commissioner and stakeholders and advice from Parliamentarians, the Government will move forward on its commitments to revitalize access to information, including empowering the Information Commissioner to order government information to be released, and ensuring that the Access to Information Act applies appropriately to the Prime Minister's and Ministers' Offices, as well as to administrative institutions that support the courts and Parliament.

Open Data

The Government is committed to accelerating and expanding open data initiatives and to better involving Canadians in policy-making. Budget 2016 provided \$11.5 million over five years to double the Treasury Board Secretariat's budget for open government activities. This funding will allow the Treasury Board Secretariat to enhance its capacity to support engagement with Canadians, to design and deliver an ambitious open government strategy and to accelerate the provision of digital content.

Support for Research

CARL advocates continued government support for research (as was seen in Budget 2016) and for investment in its supporting infrastructure, with our emphasis tending to be on data management. We argue that research stimulates innovation and economic growth, and benefits society and the lives of Canadians.

We ask that the government maintain or increase its support for relevant agencies, including the National Research Council, the federal granting councils, and independent infrastructure agencies such as the CANARIE digital research network and the Canada Foundation for Innovation. In this vein, we encourage the government to maintain national research information organizations, such as the National Research Council and Library and Archives Canada.

CARL expresses our members' views at various panels, discussions and consultations with federal research support organizations. An example of this is our participation in an annual breakfast conference with the granting council presidents organized by the Canadian Consortium for Research and our annual participation in the CANARIE National Summit.

Research Data Management (RDM)

CARL continued to recommend government support for research data management during the reporting period through letters and in our budget brief.

In July 2105, Industry Canada (since renamed Innovation, Science and Economic Development Canada) conducted a consultation on developing a digital research infrastructure strategy for Canada. CARL submitted a respected brief, the content of which was then quoted or echoed in a number of other stakeholder groups' submissions.

The CARL President and Executive Director participate in the Leadership Council for Digital Infrastructure for Research (LCDI), a multi-stakeholder group that brings together senior representatives of the federal granting agencies and major research support organizations, such as Compute Canada, CANARIE, and the Canadian University Council of Chief Information Officers (CUCCIO). This group is discussing a rational approach to the planning and funding of Canada's digital support infrastructure for university research, and is chaired by the President of the University of Waterloo.

On February 4, 2016, Minister of Science, Kirsty Duncan attended the LCDI meeting; and, at her request, the LCDI has since committed in a formal letter to work together with the government to develop a research infrastructure investment plan for Canada.

With CARL's Portage Network for research data management taking shape and gaining momentum, we have forged strong relationships with CANARIE, which has funded Research Data Canada, a convening organization of RDM stakeholders. CANARIE's own funding envelope has recently been secured for another five years, and we are hopeful that CANARIE will continue and likely grow its investment in RDM in Canada and that some of this funding will be directed toward Portage initiatives.

On January 27, 2016, we announced that we have signed an agreement with Compute Canada (Canada's advanced research computing organization) under which they will bring a \$1M direct investment and technical capacity and CARL will bring in-kind data expertise and technical support, to the development a 'data preservation pipeline.' This is a step forward in the automated curation of data in our country.

Open Access to Publications and Data

CARL promotes awareness and understanding of Open Access (OA) and we publicly applauded the announcement in late February 2015 of the Tri-Agency Open Access (OA) Policy on Publications. We subsequently produced speaking points about the policy for member libraries' staff to use with researchers, and advised the agencies on additional Q&As they might wish to add to their site. In November 2015, we provided a webinar "Understanding, Promoting and Supporting the Tri-Agency Open Access Policy." Another is now being planned, in collaboration with SPARC.

CARL has also addressed OA in its correspondence with Parliamentarians, highlighting Canadians' right to access research outputs that they finance through their taxes and the advantages of broad public access to research literature.

CARL responded with a written brief in September 2015 to the Tri-Agencies' call for comments on their Statement of Principles on Research Data Management. Various CARL and Portage representatives have met with granting council representatives to describe Portage and to discuss the councils' planned pilots to use Portage's Data Management Planning tool, *DMP Assistant*. We also met with Open Science officials, who were working on an open science strategy under the Open Government plan at their request to talk about Portage.

Open Government

The government's Open Government Initiative remains a work in progress. We continue to look for a broader range of datasets to be made accessible to researchers and the public through the Portal, and for progress on announced initiatives such as a "Virtual Library" for aggregated open access to government publications and documents. In July, 2015, we met with the consultant who was undertaking an independent assessment of Canada's progress against their first action plan on behalf of the international Open Government Partnership. In February 2016, CARL provided written commentary to the Secretariat directly in response to their call for input to the second Open Government Action Plan's mid-term assessment. .

Preserving Canada's Documentary Heritage

While the Liberal government was generous in its support for research and its infrastructure in Budget 2016, Library and Archives Canada (LAC) did not receive new funding and thus is still affected by the cuts announced in 2012. While their inadequate resourcing to deliver on their broad and important mandate remains an issue, there are positive changes being made at LAC.

CARL is a member of the LAC Stakeholders' Forum that has been established by Librarian and Archivist of Canada, Guy Berthiaume. It meets quarterly. CARL actively supports LAC initiatives or collaborations that foster national preservation and access to Canadian content.

LAC recently announced a nascent partnership with Ottawa Public Library toward combining on a new, showpiece, central library building in Ottawa, and CARL will find ways to express our support to that idea.

Enabling access to information

CARL has actively pushed for wider access to information and knowledge through a host of means, from encouraging government transparency to promoting affordable broadband Internet access.

Access to government publications

CARL continues its role on the Depository Services Program (DSP) Library Advisory Committee, encouraging the digital distribution of federal government publications to libraries. We also encourage the DSP to work with other government agencies to ensure that publications (including website content) are comprehensively preserved.

Only digital publications have been distributed since 2014 as a cost saving measure, and we remain concerned about progress on long-term government publication management issues. A number of CARL member libraries are collaborating in the development of a private LOCKSS network precisely for the long-term preservation of government documents and the DSP has made its e-collection available for inclusion.

In 2015, CARL convened a meeting of all its members that are currently engaged in web archiving activities, at which information was shared as to who is capturing federal, provincial and municipal government websites. LAC has reinstated its comprehensive .gc.ca domain harvesting program and plans to make all harvested content available within the year. These are positive developments for which CARL has expressed strong support.

The preservation and access to digital government information is important and merits monitoring and possibly becoming more of a priority for CARL advocacy. Exploring this, CARL held a special session on May 14-15, 2015 entitled "Leviathan North: Long-term Access to Government Information in the Digital Era" Inspired by the Center for Research Libraries' original Leviathan meeting held in Chicago in April 2014, it convened a range of stakeholders in the long-term preservation and use of government information, providing a forum to explore the dimensions of the challenge and collaborative opportunities for the future. The new Advancing Research Committee will be asked to consider next steps in this area.

Privacy and lawful access

In 2015, the Conservative government passed Bill C-51, Anti-Terrorism Act, which includes several provisions that significantly expand law enforcement powers related to security. The Board of Directors decided that CARL would not take a public stance on this bill, but we continue to monitor expressions of concern that are being raised about parts of this legislation. The Liberal government has signaled its intention to revisit this Act, and we will be looking to see if that happens in 2016-17.

Maintaining Balanced Copyright

CARL has advocated for greater balance in Canadian copyright legislation for years. The *Copyright Modernization Act*, assented in June 2012, includes new or improved exceptions for users, including libraries and educational institutions. It notably includes “education” as a fair dealing purpose. The Act unfortunately also includes strict anti-circumvention language around digital locks.

2017 Legislative Review of the Copyright Modernization Act

There will be a mandatory five-year review of the 2012 Act in 2017, and CARL is preparing to be an active voice in that process. CARL’s primary advocacy thrust will be to retain the balance that we believe has been achieved through such provisions as fair dealing for the purpose of education that were introduced in 2012.

During the past year, it has become apparent that organizations opposed to some of the new provisions continue to lobby the government and make their position known in the media. This effort is expected to continue and may gain traction. In March 2015, CARL sent a letter to the responsible ministers, the opposition parties, members of the House Committee responsible for copyright, and departmental officials in which it expressed positive support for the education provisions in the Act and detailed its impacts on post-secondary education. We have since struck a working group of copyright experts from our members across the country to support the Executive Director on copyright advocacy matters and to build our position and body of supporting evidence in preparation for the upcoming legislative review. But we have chosen to remain circumspect in terms of public communication at the moment.

Joint Advocacy with CLA and CULC

CARL and the Canadian Urban Libraries Council (CULC) were approached by the Executive Director of CLA to take the national lead on policy matters as CLA focuses on its dissolution. We agreed to do so, focusing in the short term on TPP and educational fair dealing.

Trans-Pacific Partnership Agreement

Canada signed the agreement under the Conservative government, but the Trudeau government has promised to consult with Canadians about it. We are aware that the agreement is controversial in the US and if it does not get ratified in the US, it will most likely not be implemented.

CARL led the development of a joint CLA, CARL and CULC statement protesting the proposed extension of the term of copyright and the digital locks provisions. As a pragmatic concession to the fact that term extension is unlikely to be a provision that would cause Canada to withdraw from the partnership, we proposed a registration system for creators to receive such term extension.

We intend to use the statement to develop letters to send to selected politicians and officials. We have been informed that there is a good chance the library community will be asked to present to the Committee that is currently conducting national consultations on TPP.

Marrakesh Treaty

Budget 2015 had announced the Harper government's intention to introduce amendments to the Copyright Act that would enable Canada to implement and accede to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled. The bill died on the order table when the election was called. However, on March 24, 2016 the legislation was reintroduced. Bill C-11 is expected to progress quickly, and we hope that CARL and CLA will be invited to make a representation to the Standing Committee on Industry, Science and Technology when it is referred there.

WIPO

The World Intellectual Property Organization (WIPO) Standing Committee on Copyright and Related Rights (SCCR) plans to hold its 32th session from May 9 to 13, 2016. WIPO is currently considering whether and how to promote a set of minimum copyright law exceptions and limitations for libraries and archives. As usual, CARL will attend the briefing session before and after this meeting, and will stay in touch with the Canadian Library Association, Universities Canada and IFLA on WIPO matters.

Other Activities

Canadian Library Association

The library association landscape in Canada is changing. CLA membership has voted to dissolve the organization. A new organization, the Canadian Federation of Library Associations, will be formed with a focus primarily of providing a national voice for the library community, championing library values and the value of libraries, and exerting influence on national and international public policy impacting libraries and their communities.

CARL has been much engaged in this endeavour, meeting weekly to help shape the proposal for the new organization, plans to become a member, and in fact will have a seat on the board.

The limited staff resources remaining at CLA have had to focus on the processes of dissolution, so at CLA's request, CARL has assumed broader responsibility for some policy issues, particularly in the area of copyright. Thus, Susan Haigh has been working with a working group of representatives drawn from both CARL member institutions and the former CLA Copyright Committee to develop its short-term advocacy positions and, in particular, its readiness to defend educational fair dealing.

Conference Session Planning

CARL's proposal for a "Hack the Act" session at the ABC Copyright Conference was accepted. The session during the May 26-27 conference in Halifax should provide some useful input as to what changes libraries would like to see if the Act is reopened.

Ann Ludbrook (Ryerson) and Susan Haigh are co-curating the Copyright session on June 1st at the CLA Policy Forum in Ottawa, entitled "Influencing Canadian Copyright: Getting Ready." The session will provide lightning updates from four speakers from within the library community on a range of copyright topics including Marrakesh/Bill C-11, unused exceptions, TPP provisions for term extension and digital locks, and educational fair dealing. Half of the session will be then devoted to smaller discussion groups to explore and refine library policy positions on such copyright matters for the new Federation to take forward.

Canadian Consortium for Research

CARL continues its membership in the Canadian Consortium for Research, a coalition that includes 20 organizations. The CCR organized another Funders' Breakfast' which includes presidents and senior officials from the granting councils (CFI, CIHR, NSERC, SSHRC) and Mitacs in December 2015. CCR prepared a questionnaire for electoral candidates prior to the 2015 fall election, responses were received from the Liberal, NDP, and Green Parties. The organization also voiced its views on Budget 2016 and submitted recommendations on the appointment of a National Science Advisor.

Advocacy-related Events

Members of CARL staff have also attended various public affairs functions, among them:

- Panel session on Lobbyist Gifting: Challenges for Lobbyists, Political Staff & Bureaucrats (April 2015)
- Panel session on Parliamentary Awareness - Political Journalists (May 2015)
- Celebrating Philanthropy: Public policy for philanthropy, charities and nonprofits – The issue we cannot ignore (July 2015)
- Gaining Consensus: Getting Issues Heard in the New Parliament Hill (November 2015)
- The Hill Times Trans-Pacific Partnership Workshop (December 2015)
- Parliamentary Breakfast – where three Members of Parliament discussed the role and value of not-for-profit organization in informing policy (March 2016).

For more information

Consult the CARL website for more information on our advocacy activities:

- Public statements <http://www.carl-abrc.ca/news/>
- Influencing Policy <http://www.carl-abrc.ca/influencing-policy/>
- Publications and Documents <http://www.carl-abrc.ca/publications-and-documents/>

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