Good morning
Good morning,

I have the distinct honour of being not only the last speaker before lunchtime, but in fact the last speaker of of the entire meeting...

I have a strong (perhaps Canadian) diffidence and so I am a bit reluctant to say more about Canada then you’ve already heard this week.

But when I noted that to our Policy Committee, one of them said,

“Well, as the primaries play out, they may be quite interested…”

19% of Americans would consider moving to Canada if Trump is elected but (and I found this interesting) apparently 15% would consider that if Hilary Clinton is elected.

The Committee also suggested another way I could deflect your attention...

**CARL’s Positioning**

More or less like ARL, 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.
Political Developments in Canada

But before I talk about each of these, I think I need to set the stage, to give you the context of our activities in Canada.

CHANGE SLIDE

Of course, Canada’s big change in recent months was the election on October 9 of a Liberal majority, under Justin Trudeau, with 184 seats of 338.

The Conservatives became the official opposition with 99 seats 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, 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, Duceppe failed to win own his sea 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

There is no question that our new leadership, now over 6 months in, has been making an impact.

Prime Minister Trudeau’s Caucus features 184 MPs drawn from all provinces and territories. Many are first-time Parliamentarians.

CABINET SLIDE

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.

That lack of experience includes the Ministers of Finance, Infrastructure and Environment, by the way.

However, many of the Ministers have backgrounds in provincial and municipal government and/or significant academic, professional and personal experience relevant to their portfolios.

This is amazing point 1. They are qualified; they bring expertise.

This is Science Minister, the Honourable Kirsty Duncan.

She has a PhD in geography and is an adjunct professor teaching both medical geography at the University of Toronto and global environmental processes at Royal Roads University.

Delivering on a campaign promise, Prime Minister Trudeau’s Cabinet has 15 female and 15 male Ministers.
This is amazing point 2: gender-balanced.

Also pretty young.

This is our Minister of Heritage, the Honourable Mélanie Joly, in centre.

She is flanked by Guy Berthiaume, Librarian and Archivist of Canada.

She is 37 years old.

Regional representation has long been an important factor in Cabinet-making. True to form, the Cabinet includes at least one representative from each province and one representative from the territories.

The Cabinet also has an unprecedented 4 Sikh-Canadian members.

This is amazing point 3. There is diversity.

This is our Minister of Innovation, Science and Economic Development, the Honourable Navdeep Bains.

So those ministers are the ones that CARL tends to care about.

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.

This is amazing point 4.
SUNNY WAYS SLIDE

They will even talk (and even willingly) to the media.

(Liberal Leader Wilfrid Laurier proposed that a diplomatic “sunny way” would work better, using as an illustration Aesop’s fable in which the sun and the wind hold a contest to see who can remove a traveler’s coat. The sun’s warm rays prove more effective than the wind’s bluster.)

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—a decision that CARL applauded.

And you may have noticed that Justin Trudeau is media and social media savvy… 1.64M Twitter followers (Obama has 74M!!)

And he has become something of a darling in the international media especially.

You may have heard about this state visit.

(Obama and Trudeau)

The point is this. The honeymoon is still on, 7 months later.

The government is trying hard, constantly surprising, and seems have struck a note with the electorate.
It has bred a new optimism that seems to penetrate the civil service and civil society. Even research is being respected.

**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.

The central plank of the proposed Liberal economic plan was a doubling of federal infrastructure investments 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.

One of Prime Minister Trudeau’s first acts as Prime Minister was to hold a meeting with the Premiers (something former PM Stephen Harper was truly loath to do). They talked about the environment, healthcare, pension reform, and infrastructure.
Budget 2016

The Trudeau government’s first budget was tabled on March 22, 2016.

General

The budget projected deficits through 2020–21.

The deficit will be 29.4 billion in 2016/17, diminishing to $14.3 billion in 2020/21.

Post-Secondary Research Funding

Budget 2016 provides 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.
It also announced that the Minister of Science will undertake a comprehensive review of all elements of federal support for fundamental science over the coming year, looking at the whole ecosystem to ensure its strategic coherence.

**New Post-Secondary Institutions Strategic Investment Fund**

There were a few more things.

Budget 2016 proposed $2 billion over three years, starting in 2016–17, for enhancing and modernizing research and commercialization facilities on Canadian campuses, and projects that reduce greenhouse gas emissions and improve the environmental sustainability of these types of facilities.

**Student Loans**

There was also an investment in student loans as part of the Government’s interest to strengthen enrolment from low-income, middle-income, and part-time students.

**Access to Information**

Budget 2016 proposes to provide the Treasury Board Secretariat with five year funding for streamlining the current ATI regime.

In addition, the Government announced that it will move forward in revitalizing 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 Government

Like the US, Canada participates in the international Open Government Partnership.

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.

CARL’s Advocacy Context

Just a little bit about CARL’s advocacy context.

In CARL, policy and public affairs activities are one undertaking of the CARL office in Ottawa.

Generally, the Executive Director is the lead on policy matters, supported by a government relations firm, CARL members, and sometimes the expertise that they have among their 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).

There is an interesting development in Canada’s library association landscape that, at the moment, has considerable impact on us:
As some of you may know, the Canadian Library Association membership has voted to dissolve the organization.

A new organization, the Canadian Federation of Library Associations, will be formed. It is expressly for advocacy: its focus will be

- 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.

At our Annual General Meeting a couple of days ago, CARL members voted to join the Canadian Federation of Library Associations, and Donna Bourne Tyson, CARL VP (and Director of Libraries at Dalhousie U) has been named for CARL’s seat on the inaugural 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, of late I have been working with a working group of representatives drawn from both CARL member institutions and the former CLA Copyright Committee to develop our short-term advocacy positions and, in particular, our readiness to defend educational fair dealing.
My own first year or so with the organization has coincided with a relatively quiet time on the government legislative advocacy front, I would say.

But things are heating up with copyright as we head toward a mandatory legislative review in 2017... I will come back to that.

CARL’s Positioning

As I mentioned, CARL’s key public policy messages emphasize four broad areas of interest, namely:

- support for research and its infrastructure;
- support for the preservation of documentary heritage;
- enabling broad access to information; and
- balanced copyright.

I’ll touch on each of these in turn.
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.

Of course, we argue that research stimulates innovation and economic growth, and benefits society and the lives of Canadians.

Research Data Management (RDM)

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

In July 2015, 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 (advanced research computing org), CANARIE (ultra high speed network backbone org), the Vice-Presidents Research from what we call the U15, 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 (as you heard from Chuck yesterday), we have forged strong relationships with CANARIE (our high speed network organization), 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 $2 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.

The profile of research libraries amongst all these stakeholders has definitely been raised. That is advocacy by presence, engagement, expertise… Martha, Chuck and Kathleen are respected, credible contributors in this arena.

That said though, goodness knows, with data there is a long way to go.
Open Access to Publications and Data

Of course, we have longsince been an active advocate for open. But lately, we’ve come to understand that:

• Considerable nuance is needed as we work toward more and more openness, and, as we’ve heard over the last couple of days, it may need multiprong approaches to move us along the continuum.

• (At OSI last week, Kathleen and I were in the same discussion group, 4 dimensions: discoverable, accessible, reusable, transparent.)

• So we’ve changed our language a bit. We are aiming for “Sustainable open scholarship”

Canada’s harmonized Tri-Agency Open Access (OA) Policy on Publications, which requires open access within 12 months of publication, will begin to take effect next month.

CARL members’ research repositories, and the willingness of some to be what we call “adoptive repositories,” mean that no researcher in the country is without access to a repository for green OA deposit.

We have 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 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 are now in the second Action Plan.

We continue to look for a broader range of datasets to be made accessible to researchers and the public through the Portal, which already provides 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.
Okay, still on the canoe theme. This is the Treaty Canoe by Alex McKay, at Osgoode Hall Law School’s Canoe of Treaties.

Oh look, it’s a Portage.

Also 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 we 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**

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, we 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, including changes to provisions about terrorist ‘literature’ and requirements for ISPs to remove terrorism-related content.

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.

(If needed: Fair use and fair dealing are similar but in Canada there is an explicit list of eight purposes, and the Supreme Court has provided a set of six tests to support the assessment of “fair.”)

2017–18 Legislative Review of the Copyright Modernization Act

There will be a mandatory five-year review of the 2012 Act in 2017–18, and CARL is preparing to be an active voice in that process.

Lobbying and media outreach the creators, publishers, and collectives is already well underway. Groups like the Writers Union have taken to referring to the “devastating impacts” of education fair dealing...

CARL’s primary advocacy thrust—which we will deliver in measured voice and with solid evidence—will be to retain the balance that we believe has been achieved through such provisions, and that universities are exercising their rights responsibly to strengthen the public good of education.

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 on 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.

Our concerns focus on the requirement that Canada extend the term of copyright to life plus 70 from our current life plus 50.

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

(Krista has already spoken to this one.)

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, in which case we will ask Victoria Owen to represent us.

(Our only reservation is that it seems unnecessary to have introduced a requirement for royalties—the only one of 16 that has language on that (the option of regulations). This is educating people who are blind, and allowing the system of alternative formats to function efficiently across borders. Also the requirement of ensuring it isn’t commercially available and record keeping.)

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 I 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.

I hope that gives everyone a sense of CARL’s policy stances and activities.

Thank you.