

16 August 2019

**TO: RAILS Board of Directors**

**FROM: Deirdre Brennan**

**SUBJECT: Access to e-books**

In your packet, are a number of reports on the problems that libraries face purchasing and loaning e-books. This memo provides some history and my thoughts on why we are in this situation.

Libraries began having difficulties purchasing and providing access to e-resources many years ago. In my career, I remember when CD ROMs of reference resources became available in the 1980s. It quickly became evident that publishers didn't know how to price this new format. It seems that publishers have never really been able to accurately set prices for non-physical items. New products are often wildly overpriced upon initial offering and then when no libraries purchase them pricing decreases deeply until some equilibrium between seller and buyer is found – at least temporarily.

To this day, it appears to me that publishers have not been able to develop a realistic model for pricing electronic/digital resources. They cling to the one-book one-use model. I am an advocate for pricing by use, but this is not commonly used in the US for popular materials. It is seen more in academic libraries with database pricing and licensing models.

It became even more difficult when electronic resources became available remotely. As long as the resources were only available at a library building, publishers felt they had more control over access. With remote access, they began to fear and believe that libraries were loaning or providing free and open access to users around the world, with no thought or care given to whether users were really “paying” (taxed, enrolled) patrons of a library.

This lack of publishers understanding of how libraries actually work has become more obvious over the past few years. Given how long libraries and publishers have been doing business together (certainly more than a century), it's actually shocking that they don't understand and haven't made an effort to understand the policies that libraries have in place to restrict access to eligible borrowers. They also don't seem to understand very much about the limitations of library budgets.

Elsevier was the first publisher “villain” to appear in the academic library world. Their pricing practices have long been under fire and academic libraries have actually refused to buy from them, even though their products are often highly desirable and demanded by faculty members and students.

Amazon has become a villain in the popular materials, public library world. They will not sell e-books to libraries. Their deep discounts infuriate authors and publishers. They dominate the publishing world. Most recently, the very popular author Dean Koontz left his long-time publisher Penguin Random House to move to Amazon for a five-book deal because he will make higher royalties with Amazon.

It seems clear from the Authors Guild article that they don’t understand libraries either.

Libraries are actually victims not villains in this situation. And when libraries are victims, so are their users.

ALA has made several attempts to find solutions to these problems. A summit was held at the annual conference in June, 2018. At this point, ALA and one of its divisions ASGCLA (Association for Specialized, Government and Cooperative Library Agencies) are putting together a working group to meet with publishers and try to come to some better understanding.

I hope you will find the articles useful and interesting. I have highlighted some passages. I look forward to our discussion at the board meeting.

**CONFIDENTIAL - EMBARGOED UNTIL THURSDAY, JULY 25 at 10:15 AM EST**

**DRAFT**

To: Macmillan Authors, Macmillan Illustrators, and Agents  
From: John Sargent

I am writing to tell you about a change that we will make today in our ebook terms of sale to public libraries. First, some background.

Last year, in response to our growing fears that library lending was cannibalizing sales, we windowed a portion of the Tor ebook frontlist for 16 weeks as a test. Since then we have been reviewing all the available data, from all sources, to determine the effects of library ebook lending on digital and physical book sales. We have also been talking to library systems large and small and to the ALA to understand their needs.

One thing is abundantly clear. The growth in ebook lends through libraries has been remarkable. For Macmillan, 45% of the ebook reads in the US are now being borrowed for free from libraries. And that number is still growing rapidly. The average revenue we get from those library reads (after the wholesaler share) is well under two dollars and dropping, a small fraction of the revenue we share with you on a retail read.

The increase in library ebook reading is driven by a number of factors: a seamless delivery of ebooks to reading devices and apps (there is no friction in e-lending, particularly compared to physical book lending), the active marketing by various parties to turn purchasers into borrowers, and apps that support lending across libraries regardless of residence (including borrowing from libraries in different states and countries), to name a few.

It seems that given a choice between a purchase of an ebook for \$12.99 or a frictionless lend for free, the American ebook reader is starting to lean heavily toward free.

After our conversations with many libraries across the country and with many of you, we decided to change our library terms of sale. Our new terms are designed to protect the value of your books during their first format publication. But they also ensure that the mission of libraries is supported. They honor the libraries' archival mandate and they reduce the cost and administrative burden associated with ebook lending. We are trying to address the concerns of all parties.

The terms: We will make one copy of your ebook available to each library system in perpetuity upon publication. On that single copy we will cut the price in half to \$30 (currently first copies are \$60 and need renewal after two years or 52 lends). This change reflects the library request for lower prices and perpetual access. Additional copies of that title will not be available for

library purchase until 8 weeks after publication. All other terms remain in place. It is important to note that the 8-week window only applies to ebooks; the library can order as many physical books as they like on publication. It is a window for only a single format.

Historically we have been able to balance the great importance of libraries with the value of your work. The current e-lending system does not do that. We believe our new terms are a step toward reestablishing that balance.

I hope that you agree.

Please let us know if you have questions or concerns. Thanks, as always, for entrusting us with your work.

All best, John

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# After Tor Experiment, Macmillan Expands Embargo on Library E-books

By Andrew Albanese | Jul 25, 2019

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At the 2018 Frankfurt Book Fair, Macmillan CEO John Sargent told fair-goers that he was alarmed by the number of "digital reads" from libraries.

More than a year after imposing a controversial four month "test" embargo on new release e-books in libraries from it's Tor imprint, Macmillan announced today that it will now impose a two month embargo on library e-books across all of the company's imprints. The terms take effect November 1.

Under the publisher's new digital terms of sale for libraries, "library systems" will be now be allowed to purchase a single—that is, one perpetual access e-book during the first eight weeks of publication for each new Macmillan release, at half price (\$30). Additional copies will then be available at full price (generally \$60 for new releases) after the eight-week window has passed. All other terms remain the same: e-book licenses will continue to be metered for two years or 52 lends, whichever comes first, on a one copy/one user model. A Macmillan spokesperson confirmed to PW that the single perpetual access copy will be available only for new release titles in the first eight weeks after publication—the option to buy a single perpetual access copy expires after that eight week window, and the offer is not available for backlist titles.

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In what counts as a measure of good news for libraries, however, no changes were announced for Macmillan digital audiobooks.

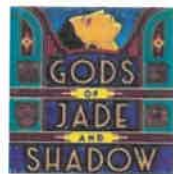
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## FREE E-NEWSLETTERS

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Macmillan is now the fourth Big Five publisher to change its terms for digital content in libraries in recent months—but its changes, and the views expressed by Macmillan CEO John Sargent, are by far the most unique and contentious of the group. In a July 25 memo (addressed to authors, illustrators, and agents), Sargent not only delivered the news of Macmillan's library e-book changes, he basically called out libraries for depressing author payments.

"It seems that given a choice between a purchase of an e-book for \$12.99 or a frictionless lend for free, the American e-book reader is starting to lean heavily toward free," Sargent wrote. "Our new terms are designed to protect the value of your books during their first format publication. But they also ensure that the mission of libraries is supported."

In the memo, Sargent asserted that 45% of Macmillan's U.S. "e-book reads" were now "being borrowed for free" from libraries, a trend he attributed to a mix of factors, including the lack of "friction" in e-lending compared to physical book lending, the "active marketing by various parties to turn purchasers into borrowers," and unnamed apps "supporting e-book lending regardless of residence, including borrowing from libraries in different states and countries."

Macmillan has declined repeated requests over the last year to discuss the embargo, or Macmillan's library e-book program more generally.

At press time, American Library Association representatives had yet to issue an official response, but Alan Inouye, ALA's senior director, for Public Policy & Government Relations, offered a blunt first assessment of Macmillan's plan: "Worse than expected," he told *PW*. "Embargoes violate the principle of equitable access to information that is at the core of libraries," he added, pointing out that Macmillan's policy is curiously out of step with the rest of the industry. "Within the past year, three of the other Big Five publishers revised their library e-book business models, and none of them concluded that libraries were a threat to their profitability," Inouye observed. "Indeed, these other publishers believe that libraries benefit their businesses. Macmillan stands alone with its embargo."

"This is just Sargent using fear tactics, trying to gaslight authors and agents," said *PW* library columnist Brian Kenney, director of the White Plains Public Library, citing Sargent's references to "mysterious" data that "is never shared" and suggestions that libraries are somehow circulating e-books outside their service areas. "My library is able to share its e-book collection with other libraries in my consortium, but with the consent of all the publishers involved. And it rarely involves sharing frontlist titles, since an algorithm ensures that my e-book copies go to fulfill requests from my users first. And for every four requests, we purchase another copy." As for an app that would allow libraries to circulate e-books to patrons outside of their service area, Kenney says he is unaware of any.

Susan Caron, director, Collections & Membership Services, for the Toronto Public Library, which racked up the most digital lends in 2018, according to vendor OverDrive, said the claims in Sargent's memo left her speechless. "I don't know where to start," Caron said. "Active marketing to turn purchasers into borrowers? There is no friction in e-lending? Except that people have to wait months for a title. I just randomly picked *Normal People* by Sally Rooney, published in August 2018. One year later, people still have to wait 29 weeks for a copy and we have 130. Hardly frictionless."

And both Kenney and Caron suggest Macmillan clearly did not listen to librarian input, because the single perpetual access copy is not useful. "If we need more than one copy of a title, we'll just wait. [Otherwise] our users will be upset if we don't buy more to reduce holds, as we normally do. And if we can wait eight weeks, we may decide not to buy the title at all."

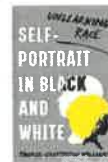
In offering a single perpetual access e-book for \$30, Kenney says Sargent is offering libraries a concession he knows most public libraries don't want.

"There are very few titles I want to own in perpetuity," Kenney explains, adding that this kind of "archival" collecting is best done in print, by larger institutions, like the Library of Congress or the New York Public Library. "And eight weeks after publication, it's unlikely I'm going to go back and purchase the e-book at all. Libraries buy books, print and e-books, in advance of publication. After eight weeks, you've fallen off our workflow. Any buzz is likely dissipating. And, without a record for



The Great Second-Half 2019 Book Preview

## FEATURED REVIEWS



### SELF-PORTRAIT IN BLACK AND WHITE: UNLEARNING RACE

Thomas Chatterton Williams. Norton, \$25.95 (192p) ISBN 978-0-393-60886-1

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Colson Whitehead, Author
- 4 The New Girl**  
Daniel Silva, Author
- 5 Educated: A Memoir**  
Tara Westover, Author

“ Sargent asserted that 45% of Macmillan's U.S. 'e-book reads' were now being 'borrowed for free' from libraries ”

people to place holds against, I have no way to accurately gauge my community's interest. In the instance that a book is actually popular, I don't want just one copy to be available, collecting hold requests that I can't fulfill. I'm not in the business of making my users unhappy. After eight weeks, only a bestseller will make me sit up and go back and make a purchase. Which is the thing about Sargent's model: it's designed to reward bestselling authors, while penalizing everyone else."

St. Mary's County librarian Michael Blackwell, an organizer of the ReadersFirst Coalition, said the Macmillan change did represent one positive development: making copies available in two licensing terms (perpetual access at half-price, plus the metered model) shows that "flexibility" in offering models simultaneously is possible, something ReadersFirst has long advocated for. But Blackwell also took aim at Sargent's memo. "Some of Sargent's claims are preposterous and reflect a woeful lack of understanding," Blackwell told *PW*. "But after the Tor experiment, we saw it coming."

In her most recent *PW* column, Sari Feldman, executive director of the Cuyahoga County Public Library, warned librarians about the tenuous state of digital content in libraries. Sargent's memo, she says, has left her outraged. "John Sargent and Macmillan have given us no choice but to organize," she said, "and fight back."

Blackwell agreed. "What we clearly need is unified action. We need to organize, take our case to our readers, encouraging them to write for government action," he said. "Libraries are vital for promoting authors and their works, helping discovery of content that we would argue, yes, promotes sales beyond libraries. We want authors treated fairly. Librarians appreciate that changing business models with the coming of digital are a challenge for authors and, for that matter, publishers. But it is time for us not just to take a stand, but to ask our millions of readers to take a stand with us."

**UPDATE:** *The American Library Association has released a statement on Macmillan's change in terms for libraries.*

*"Macmillan's new model for library e-book lending will make it difficult for libraries to fulfill our central mission: ensuring access to information for all," said ALA President Wanda Brown. "Limiting access to new titles for libraries means limiting access for patrons most dependent on libraries. When a library serving many thousands has only a single copy of a new title in e-book format, it's the library, not the publisher, that feels the heat. It's the local library that's perceived as being unresponsive to community needs. Macmillan's new policy is unacceptable. ALA urges Macmillan to cancel the embargo."*

In addition, **Penguin Random House** has shared the following statement: *"In support of the invaluable contributions libraries make to our communities and the promotional opportunities they provide our authors, Penguin Random House U.S. continues to make our e-books available to library patrons the same day they go on sale at retail."*

10 Comments

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**Kaye Grabbe**

Libraries depressing author payments? DOes he know about a little company called Amazon?

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**Michael W. Perry**

I try. Gosh only knows I try to convince myself that the executives at some of the major publishers aren't complete dolts they appear when it comes to standing up to Amazon or, in this case, the business factors surrounding digital books. Notice the unique characteristics of digital publishing.

1. Almost all the expenses of editing, proofing in layout have already been covered by the print version. I know. I publish with InDesign. Once the print version is done, creating the flowable and fixed-layout epub versions takes about five minutes.
2. There are no printing costs, so the cost of produc... [See More](#)

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**Camilla Ruth Kaplan**

You are creating fixed-layout epubs in five minutes?

...how?!??

I clearly need to get on your level.

Like · Reply · 1w



### Judy Haupin

There are still the variable costs involved. Accounting for royalties, for example, that's not going to go away, and while not substantial compared to printing cost, still exists no matter which format the book is sold/rented at. I got into kindle format for my library for two reasons - cost is generally less than paperback day 1 and I was downsizing from a 4 bedroom/den/finished basement home where 3 large rooms were essentially a library, to a 2 bedroom condo. I kissed goodbye well over 1500 books to library friends sales. No room for new printed purchases. Now I can take my new digital copies wherever I go with no worry about running out of space.

Like · Reply · 2d



### Danielle Stanley

It might be "free" for the customer but libraries still have to pay, so it's not "free"!

Like · Reply · 2 · 1w



### Karen Zentkovich Conklin

Libraries are providing ebooks for free to their patrons, not unlike the way they have provided physical books for years. Isn't that kind of the point of a library? People who can't afford to buy books can borrow them for free, or anything least for the cost of your library card. How is an ebook any different, other than the lack of costs related to materials, printing, storage and transportation. Oddly, that seems like they should be less expensive. Who does MacMillan think they're kidding?

Like · Reply · 2 · 1w



### Book Reedur

Publishers have a monopoly on an author's work and they should be subject to tighter regulation as such. If MacMillan finds the embargo doesn't increase sales (which it won't) they should agree to return to standard practice. Otherwise readers other book buyers and authors could have an embargo of their own against MacMillan.

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### Vicki Hancock

The problem with these new releases is not the library, it's the fact that a new release ebook can be upwards of 21.99. Most are about 14.99. Why the heck are we paying as much for an ebook as a physical book? It's outrageous. I've already put an embargo on every publishing company that charges that much for a new release. I simply wait for the book to go on sale. It doesn't kill me to not have it the minute it comes out. That ridiculous. The ebook costs are so out of control. People, and I know quite a few that do but more need to start, need to quit paying ridiculous prices for a new release and wait for the sale. Eventually they would realize that screwing over ebook users is not acceptable.

Like · Reply · 2 · 1w



### Kadance Rose

And it's acts like this that keeps piracy of books going on. If you deny libraries (who usually have very sturdy anti-theft protection on their e-books) the right to have more new releases for patrons—do you REALLY think that's going to "up" sales? No it will just be more pirates out there putting free books with the DMCA stripped out online to be stolen. Libraries are not the problem.

Like · Reply · 1 · 1w



### Fred Zilla

52 lends... are you insane!!!!?? The wait list could be 52 people....these people are nuts. Trying to kill libraries or readers appetites for their books? I now Mcmillan is huge...but it really is all about the MONEY! Boo Hiss...shame on you Mcmillan!!

Like · Reply · 1 · 1w



### Martha Knox

8 weeks that's the same sell by date as some food items. What if books have a sell by date? oh they do. About a month or two in bookstores and back they are returned to the publisher. Libraries don't get to return unread books. I used to work for a publisher, The actual cost of delivering a physical book is about \$3.00, The cost of an ebook is 86 cents-no warehouse, no shipping, no inventory, etc. The infinite bookshelf on the Internet. The more you sell the more you earn back production costs. The profit on ebooks is enormous. By the way authors usually receive on average a nickel for every



book that's sold, except if you are an Amazon author then it averages \$2 a book depending on the price of your book. HMMM Let me see a nickle or \$2 which would I rather have? Maybe that's why Dean Koontz just signed with Amazon.

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**Gerald Lenaz**

Indie booksellers can't compete with "free" or heavily discounted AZ products. Indirectly dampening "free" helps Indies compete and remain an important part of the community

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# Macmillan publishes a work of fiction



**Steve Potash**

Founder & CEO, OverDrive  
@overdrivesteve

Aug 01, 2019

Macmillan, a global publisher of science fiction and fantasy, offers a catalog of many great works of fiction. John Sargent's recent letter to Macmillan authors, illustrators, and agents, regarding Macmillan's changes to their library lending terms for ebooks, and the justification for the same, is another work of fiction. This work of fiction was used to justify a new policy to embargo newly released titles for library lending for 8 weeks from date of publication. Rather than creating demand for a new title with ebook marketing and then delighting readers with access to each new Macmillan title on the day of publication, libraries large and small, as well as library consortia, will be permitted to purchase only one (1) copy of each title. The story of how they arrived at this discriminatory practice that denies access to an author's new work is a doozy.

Let's start with the faulty key premise. In the letter, Macmillan claims that when they test-windowed a selection of Tor ebooks for library lending, it resulted in an increase in retail ebook sales. This conclusion fails to provide any reference or data of scope and scale. With the exception of a few Tor best-selling authors, the vast majority of Tor ebooks and their authors have few to zero units of their ebooks available in US public library catalogs. Without Macmillan sharing information on the starting point for the Tor pilot, any change (increase or decrease) is meaningless. For example, going from two to four ebook units in retail sales is a 100% increase. For the Tor ebook catalog, fewer than 100 units of recent titles were sold to libraries nationwide. Added to the reality of the few available units, the library lending model is self-limiting. How a few dozen copies of an ebook that only one user can borrow at a time or wait weeks to borrow impacts retail sales is a mystery. When Mr. Sargent was asked for data to support this conclusion by the *Wall Street Journal* in its July 25, 2019 article, Mr. Sargent "declined to be more specific." The reason is clear, the Tor experiment was unremarkable.

In 2015, a similar test was conducted with unremarkable results. This test used best-selling titles from several UK publishing houses in a study, jointly commissioned by the Society of Chief Librarians and The Publishers Association, funded via the British Library Trust and Arts Council England. The results were predictable. The study concluded that withholding new ebook titles

for library users to borrow had no material impact on retail sales. From the study results:

“Commercial impact: **From publishers, there is no evidence that the pilot damaged their e-book sales.**” See: <https://www.publishers.org.uk/EasySiteWeb/GatewayLink.aspx?allId=18916>

Macmillan doubled down with this sci-fi and fantasy realm with more fictional data. Mr. Sargent’s letter claimed that “45% of the ebook reads in the US are now being borrowed for free from libraries.” No definition of an “ebook read” was offered, nor any details or data sharing on how this conclusion was reached. This claim, offered without any support, is ridiculous.

The data that I am aware of and is available to Macmillan on their ebook use in libraries includes:

1) Their sales of their titles to libraries; 2) The number of units purchased by each library; and 3) limited checkout info for their titles. For Macmillan to invent a new data metric called “ebook reads” – a metric that Macmillan has based an entire business strategy on, and that paints libraries as villains – requires at the very least a thorough explanation of their new invention.

Macmillan also overlooks a key concept in building its case. Library users borrow titles and place them on bookshelves, but often these titles **are not read**. It should be the hope of every author that their title is selected, borrowed and hopefully read and enjoyed. Public libraries provide a safe and welcoming place and online service to browse, borrow and read or not read a borrowed book. That’s one of the most beautiful things about public libraries. Unless Mr. Sargent and Macmillan have access to information on how public library users, in the privacy of their homes, access, or do not access, an ebook borrowed, the “45% ebook reads” claim is pure fallacy. I request Macmillan issue a retraction or provide detailed information on how they reached that conclusion – for without it they have no basis for this ridiculous “ebook read” claim.

The WSJ interview with Mr. Sargent reports that retail sales of Macmillan ebooks produce revenue to Macmillan between \$9 and \$10.50 per ebook title, yet revenue from libraries “generate “as little as \$1.15 per read for a title checked out 52 times.” This is more nonsense.

First, the ebook model Macmillan uses to support this math is one they created: Two years or 52 checkouts, whichever comes first. Macmillan also developed the library pricing for this model.

For Macmillan to paint themselves as victims, in a reality they created, is dystopian. Not only dystopian, it is victim blaming – as librarians are the victims of this flawed logic. It blames public libraries and librarians for the work they do to promote reading, books, authors and help sell the publishers’ products. It blames libraries for the millions of dollars they spend on Macmillan’s product, encouraging the reading of Macmillan books and authors. And yes, it blames librarians for the success they developed for ebook lending. Librarians are charged with accountability for every penny spent of taxpayer dollars and public funds. All of the levers are under Macmillan’s control – yet the one that would be most impactful in the calculus – the amount Macmillan pays authors for their premium library ebook pricing – is one that is not even whispered in the stories.

Second, and worse yet, is the misleading method Macmillan used to argue that libraries produce revenue of \$1.15 per title borrowed. This assumes that most of Macmillan's 19,000+ ebooks titles in their catalog were checked out at their maximum 52 checkouts, on or before the 2-year time limit expired. Public library data compiled by OverDrive reveals that their \$1.15 figure is misleading and untrue.

For all the Macmillan ebooks that libraries acquired for lending, **79% expired and were removed from library catalogs because the two-year term limit occurred first – not because they were checked out 52 times.** The data of actual lending of Macmillan ebook titles by public libraries supports an underutilization of the inventory. The average number of times a library loaned a Macmillan ebook during the 2-year term for each title **was 11.5 times** (far from 52 checkouts). **Using this data, the average cost to the library to lend the title was \$6.07 for every time a title is borrowed, 5 times the figure shared in the WSJ story.** Furthermore, this includes users who never opened the title or read it – so the cost for every “ebook read” is still higher. This 11.5 average checkout includes Macmillan best-sellers such as Fire and Fury and others, which by all accounts is an outlier and overperformer. For the vast majority (75% of Macmillan catalog of titles during the 2-year term) an ebook was checked out **an average of 8.3 times** each.

One thing I will predict, Macmillan's one (1) unit per library limit for new titles released will make one of the reported statements come true. As reported in the WSJ “**Macmillan is betting that many consumers will be frustrated at the long waiting periods that are likely to develop if libraries have only one digital copy.**” Here they will succeed. Their policy will frustrate their customers, librarians, fans of the authors, and ultimately, frustrate Macmillan authors and agents.

The anti-reader, anti-customer-centric, clearly anti-library sentiment is deafening. There is zero acknowledgement by Macmillan of the reality that library ebook readers are Macmillan readers and customers. The high degree of overlap between library users and book buyers is well documented. Libraries build audiences for authors and books, promote reading and discovery, and are a most trusted source for recommendation on what to read next. You can learn more about this from The Panorama Project Readers Advisory research and report. See <https://www.panoramaproject.org/>

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## 20 thoughts on this post:



**Steven V. Potte** says:

[August 1, 2019 at 6:30 pm](#)

Very well said, Steve. There is only I'd underscore in addition. You made the point, but I'd really like to drive it home. Macmillan keeps trying to make the point that library eBooks being "free" as though they hand these out free to the libraries and they make \$0.00 on each eBook in a library collection.

I look at our invoices and I feel like our library is paying A LOT of money for something being characterized as "free." The status quo is providing considerable revenue for Macmillan. However, they tend to discount that revenue and resource and treat it as though it is irrelevant.

Libraries pay for the books, eBooks, and other online content that we provide and to discount it as "free" is yet another mischaracterization.

Thanks for the analysis, the support, and keep the faith!

[Reply](#)



**Michael Blackwell** says:

[August 1, 2019 at 7:15 pm](#)



Dear Mr. Potash,

Thank you on behalf of my library for your well-supported and thoughtful response to Macmillan's recent announcement on library e-books. Mr. Sargent of Macmillan has, as you point out, rightfully ignored one of the prime reasons why his company survives: the support of libraries helping readers discover Macmillan authors. I hope for unified action on the part of libraries to bring Macmillan's false claims to the attention of the public, using your examples as one of the many reasons why Sargent's decision is bad for libraries, bad for readers, and bad ultimately for writers.

[Reply](#)



**A Carr** says:

[August 1, 2019 at 8:20 pm](#)

Mr. Potash,

Thanks for the resounding mic drop.

A. Carr,  
Collection Development Librarian, IL

[Reply](#)



**Toby Greenwalt** says:

[August 1, 2019 at 9:53 pm](#)

Thank you for this deep dive into the shady claims behind Macmillan's attempt to throw the reading ecosystem into disarray.

Any chance of building some kind of "Contact the Publisher" element into Libby? If there are more ways for readers to voice their concerns in the moment, the louder our collective voice can become.

[Reply](#)



**Mary** says:

[August 1, 2019 at 11:32 pm](#)

The notion that reading should be like a rollercoaster ride is ludicrous. No living soul will pay for every single copyrighted, published work they read, or for every time they read a thing, and libraries should not have to pay according to such a model either. As you say many borrowed books are never read at all. Some are terrible, and some are lent automatically when available after having been placed on hold by the patron. This scarcity may result in unintended 'squatting' when the patron lets the loan expire because their best intentions of reading the thing was never achieved.

I'm pretty interested in the count of Macmillan e-books that were checked out zero times in 24 months. It should be acknowledged that libraries—custodians of other people's money for the purpose of shared resources selection and purchase—enter into some of the same risk as publishers. Delaying new title availability is a definite 'value-subtract', for libraries as well as for readers.

[Reply](#)



**Colleen Eggett, Utah State Library Director** says:

[August 2, 2019 at 2:32 pm](#)

Thank you Steve, for standing up for libraries nationwide and worldwide. We as librarians seek to provide the best services for our customers that we can. If there's one thing I have learned about libraries, it is that "we will prevail." We need more advocates like you in our court.

[Reply](#)



**Laura Dail** says:

[August 2, 2019 at 4:20 pm](#)

Among other things I appreciate that you contemplate authors here — and agents.

[Reply](#)



**Christine Witthohn** says:

[August 2, 2019 at 5:02 pm](#)

Clearly Mr. Potash is picking a fight here, without regard to all facts, which he claims is what Macmillan did in its letter. He is trying to designate victims and villains in this article, which comes across as a stilted and epic FAIL.

Libraries were among the last to jump on the e-book bandwagon, and did so mostly reluctantly and only due to patron pressure. At least with paper books, a patron has to stop by the library. With e-books, patrons can order books from their homes.

Writers' incomes have dropped significantly since libraries made e-books available (in addition to piracy which is also hurting incomes). Mr. Potash leaves out an Author's interest in being paid fairly for their work. Unlike the U.K., where writers are paid a yearly amount based on library borrows, writers make nothing in the U.S. for borrows — except for the hope of having readers, who will borrow more books in the libraries benefiting library traffic, again with the writer paid nothing.

The price libraries pay for books is basically subsidized by writers and publishers. If a patron (myself among them) has to wait a bit longer for the newest hot book to be available, so be it. They may choose instead to buy it. Libraries getting up in arms about how publishers make their

Macmillan publishes a work of fiction. Thoughts from a Digital Advocate  
 product available to them, which in turn legitimizes funding of libraries through taxes based on traffic, is self-serving. No one ever promised a public library would make a NYTimes bestseller available the day it was released.

And lest you think differently, libraries treat books very much like product. In fact, "book sales," where they often sell new books for .25-.50 cents, increase libraries' bottom lines. How do these "book sales" favor the author or publisher? No royalties are paid.

I would very much prefer a library ask for donations or participation in special events to bring in money, than to ultimately screw the author (and the publisher) as an end result. How are these annual "books sales" a public service? Especially when many of those books are given to the library at NO charge.

The entire system is flawed.

Christine Witthohn  
 U.S. & Foreign Literary Agent

Reply

 **Justin Azevedo** says:

August 2, 2019 at 10:54 pm

Regarding the spiteful and appallingly dishonest claims from the literary agent in this thread:

1. The claim that libraries were reluctant to carry ebooks is patently foolish. Libraries were initially priced out of the ebook market, and two big publishers (including Macmillan) refused to sell to libraries for years despite coordinated pressure. This past month marks the fourth time, by my count, that publishers have changed licensing agreements to make ebooks more expensive and restricted (despite already charging libraries 2-4x retail price, and forcing rebuys within half the time that a print book would be replaced) just as libraries have started approaching parity with user demand. Claiming that libraries "were the last to jump on the wagon" is not only patently untrue, but an absolutely flabbergasting claim to make.

2. There are multiple studies with quantifiable data pointing to the conclusion that library users buy books more often than non-library users. Repeating the "turning purchasers into borrowers" folderol with a more strident tone does not make it any less of a falsehood.

3. The "nobody promised libraries they could get a book on release date" claim is pretty weird, considering that we've worked with publishers for decades on adhering to strict advertising and street date policies on bestsellers we receive weeks in advance, and are demonstrably better at following those policies than bookstores are. But the fact remains that we were promised that, in fact, through the doctrine of first sale. eBook licensing is an entirely separate issue.

4. All of that garbage about book sales is, frankly, silly. Library book sales don't sell new books, and if they do, they are donated copies that have been paid for. The rest are in fact the donations you so haughtily demand we ask for (we do! and our patrons respond!), and books that would otherwise be recycled or disposed of through the weeding process. In a retail environment, those get stripped and sent back to the publisher, and... surprise!... the author doesn't get paid for them, because they were never technically purchased. In the library's case, all of them were purchased by someone at some point (just like everything in a library's collection), leading to a royalty percentage. So... yeah, you're entirely incorrect. They then get fed directly back into library budgets, leading to more book purchases, and more royalty payments. If you still insist that is somehow nefarious, let me once again point you to the first sale doctrine.

You need to understand that libraries are customers. We pay for books, using public funds that our communities have paid. This "free" nonsense is gaslighting, pure and simple.

Reply



**Stacks & Facts, a YouTube channel about Libraries** says:

August 3, 2019 at 7:38 pm

Just a point of clarification, the number of books donated to libraries that actually make it into the collections is a very small fraction of what a library's collection is made up of. The overwhelming majority of a library's collection is purchased at market price or more (in the case of more robust library binding), from which authors receive royalties and the sales count toward any advance they might have received from the publisher if it hasn't already been met.

As for book sales, these books are sold at such low prices because libraries have limited shelf space and must constantly replenish and curate their collection. Prices of 25 to 50 cents don't really offset the cost of the staff, so the impact on a library's bottom line is minimal, in those cases where they don't actually cost libraries money. And they have even less of an impact on authors' collected royalties as used book stores do, or (especially) used booksellers on Amazon.

As for the hope of having readers, it's a little insincere to suggest that people who read books at libraries ONLY read books that they get through libraries. The bottom line is that people like owning things, and library patrons buy books from authors that they discover at libraries all the time. For the patrons who can't afford that, we're here to help support them in reading, \*as well as\* in finding jobs and professional training, getting secure in housing and food, and so many more social programs. This in turn gives them more access to money, which in turn leads to... you guessed it, buying books.

Libraries are some of authors' biggest advocates, and publishers know this otherwise they wouldn't pay gobs of money to have a presence at the American Library Association's annual meetings every year and literally hand out thousands of advance reader copies for free at them. Literary agents can work this angle too, and I hope you're doing your clients the service of doing so.

-Peter

[Reply](#)



**Patricia** says:

[August 4, 2019 at 2:00 am](#)

I love my local library. In a county that has nearly 20 percent adult illiteracy, the library is the public agency doing the most to solve that serious problem. It's our most commodious cooling station on 100-degree days, our ONLY free daytime cold weather shelter on the 0 degree days. All are welcome, and the library is one of few, pleasant, free, centrally located meeting places. And books! Long live the library...

That said, Mr. Potash attacks Macmillan's data, and I too would like to see the sample size, genre parameters, sales figures, A/B comparisons, and so forth. But to imply that Macmillan published a result contrary to fact makes no sense. If libraries really do boost sales, provide advertising services, and find authors new readers... Macmillan is cutting off its nose to spite its face.

In fact, Mr. Potash presents no data to refute the contention that libraries cannibalize sales and erode revenue. This is not a new concern. It's been looming since 2012 when libraries got into the ebook lending biz. If Macmillan's numbers stink, let's do some proper research, and come up with some defensible findings. In this age of data-data-data and ten-minute surveys from every retailer to complete a sale, we can do better than finger-pointing and yeah-butting.

Good decisions are made based on good information, and as a community of people who make our living around books, we apparently don't have that information.

As an author, I am HAPPY to accept some reduction in sales and revenue to keep the library doors open, even if libraries find me no new readers and never advertise my titles. But libraries need to understand that many pieces of my revenue pie have already been spent simply to get my book to the starting line, and that's before we discuss pirates, scammers, bootleggers, the commercial subscription model, counterfeiters, and other threats to my livelihood.

Let's get some good data, and see what it tells us. Then we can define the problem, and start talking about how to solve it on mutually agreeable terms.

[Reply](#)



**John** says:

[August 4, 2019 at 7:39 pm](#)

From what I understand of copyright law, at least in the U.S., a purchaser of a physical book can dispose of it in any manner they choose. You, yourself suggested that folks could donate books to the library. Some books are sold at garage sales, others to used bookstores who, in turn resell them. I frequently donate books to our high-school library.

Macmillan publishes a work of fiction. Thoughts from a Digital Advocate  
A library, as the owner of a physical book (donated or purchased from the publisher) has the same rights any other owner would. That would include selling them at a steep discount. This typically happens after the supply of a title outstrips the demand. This frees up shelf-space for new titles, which will be purchased from the publisher.

[Reply](#)

 **Danielle Stanley** says:

[August 2, 2019 at 5:20 pm](#)

Thank you, Mr. Potash! We appreciate your advocacy on behalf of libraries!

[Reply](#)

 **Thomas D. Corrigan, Cleveland Public Library** says:

[August 2, 2019 at 5:46 pm](#)

As always, Steve has challenged the lazy logic and distorted data of Macmillan with knowledge and perspective that comes from being a library user and public libraries' truest friend.

[Reply](#)

 **Max Florschutz** says:

[August 2, 2019 at 6:13 pm](#)

Most know that MacMillan is full of it, but it is their ship to set alight and send burning to the bottom of the bay. Which they seem to be doing with great glee. I broke down some of the math of Sargent's claims the other day on my own site, and yeah, nothing about them makes sense. Declining author payouts are because of internal issues, not external. Sands, they've got a \$15 ebook sitting in the top 100 on Amazon.

On the plus side, MacMillan taking this stance means that there's about to be a gap in the market which Indie authors and pubs will quickly and willingly fill, and with far better terms all around. \$60 for a single copy? Start contacting some Five-star indie authors, Overdrive! We'll fill the gap to bursting, and for far less!

[Reply](#)

 **Cynthia Robbins** says:

[August 2, 2019 at 6:26 pm](#)

Bravo!

[Reply](#)

 **Deborah Roy** says:

[August 2, 2019 at 8:07 pm](#)

Thank you on behalf of our library, our patrons and our budgets. Please continue to speak reality and truth to publishers who consider libraries their enemies, and not as valuable partners in promoting their authors and titles to readers, and who forget that libraries are a large slice of the book market themselves.

[Reply](#)

 **Caitlin** says:

[August 2, 2019 at 9:58 pm](#)

Our libraries serve people no matter their income level. The idea that people will go buy a copy of an e-book because they have to wait too long on their library's hold list is crazy! People wait months for the print copies and are used to waiting for their holds. As a collection development librarian, I will probably not purchase Macmillan titles until after the 8-week period to avoid a long wait list of users that we could potentially not fulfill. Libraries have helped promote Macmillan authors and provide materials to all patrons. Many libraries will be unable to supplement their e-book copies with print copies so Macmillan has really just hurt themselves in this decision.

[Reply](#)

 **mal** says:

[August 2, 2019 at 10:12 pm](#)

Is it even legal for a business to limit the # of items sold to a certain class of trade (libraries) vs other classes (retail)?

[Reply](#)

 **David Montanari** says:

[August 3, 2019 at 1:14 pm](#)

In my opinion, there are two additional items that need to be thought through. I do not have the data, except for me as a single point of reference.

1. I read (actually most often listen) to two to four books per week through the library system. There is no way I would purchase that many books – full stop. If I did, it would sum to about \$4,000 per year. (Audio books are generally more expensive than ebooks.) So Macmillan is not losing money by me. It is actually gaining, as I often recommend books to the library system.
2. I often recommend books to friends that I have read through the library system. Most of whom purchase hard cover or ebooks, despite me telling them how great the library system is.

Again, I am only one data point, but I suspect I am not unique.

[Reply](#)

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**INDUSTRY & ADVOCACY NEWS****Macmillan Announces New Library Lending Terms for Ebooks**

JULY 26, 2019



In response to the well-recognized impact of library e-lending on book sales (https://www.authorsguild.org/industry-advocacy/a-new-twist-in-ebook-library-licensing-fees/), Macmillan Publishers is now changing the terms (https://www.wsj.com/articles/e-books-make-macmillan-rethink-relationships-with-libraries-11564063800) on which it sells ebooks to libraries. Since readers are able to borrow ebooks from libraries around the country (and in some cases, around the world), book sales—and authors' royalties—have fallen. Last year, Macmillan tested a “windowing” system by which frontlist books weren't made available for library e-lending until 16 weeks after the book's release. It is now adopting a new system to protect the value of new releases while still respecting and supporting the needs of libraries.

Under its new system, Macmillan will make one copy of an ebook available upon that book's release to each library system in perpetuity, at the half-price rate of \$30 for that one copy. According to Macmillan, "this change reflects the library request for lower prices and perpetual access." Libraries may obtain additional ebook copies of that title eight weeks after publication, for a period of two years (or 52 lends) at the cost of \$60 per license; these licenses can then be renewed for additional two-year (or 52-lend) periods. This new system will only apply to ebooks, and libraries will still be able to order as many physical books as they like.

The Authors Guild welcomes this approach and thinks it is a reasonable compromise between the needs of the authors and the needs of the libraries. Although the American Library Association has objected to this new program, we believe that Macmillan has attempted to fairly address the concerns of the libraries and balance them with those of authors and others in the book industry. If, as Macmillan has determined, 45% of ebook reads are occurring through libraries and that percentage is only growing, it means that we are training readers to read ebooks for free through libraries instead of buying them. With author earnings down to new lows (<https://www.authorsguild.org/industry-advocacy/authors-guild-survey-shows-drastic-42-percent-decline-in-authors-earnings-in-last-decade/>), we cannot tolerate ever-decreasing book sales that result in even lower author earnings. Macmillan's new licensing scheme will still allow libraries to obtain a digital copy of new books in the first eight weeks, so readers who can't afford to buy books and who can't get to the library to take out print copies should not be impacted. We look forward to seeing how this new program affects readership—and ultimately, authors' royalties.

The Authors Guild welcomes all points of view in the Comments section, and we encourage civil debate. With this in mind we request that all comments be kept respectful and courteous.

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15 Comments

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**Anne V** • 12 days ago

I am disabled and homebound. Since my injury, I cannot hold either a paperback or a hardback. Without ebooks, I literally have nothing to read. I purchase in excess of 15 titles/month. I use the library to try out series - borrow the first book and if I like the series I "purchase" the entire series from an ebook retailer (purchase is in quotes because we all know those books aren't owned, they're rented). Given the open contempt demonstrated by the authors guild and the publishing industry towards me and readers like me, I will redirect my book budget towards streaming services.

^ | v • Reply • Share ▸



**Tricia Karlin** • 12 days ago • edited



In your piece, you begin with this statement

*In response to the well-recognized impact of library e-lending on book sales.*

You link to a previous opinion piece that has no data or argument supporting the 'well-recognized impact of library e-lending on book sales'.

There's really no information in this piece that supports this statement, beyond referring to the Tor test and a quote from MacMillan. Could you elaborate please?

And you might also want to take a look at this letter from Overdrive CEO Steve Potash calling into question the basic veracity of MacMillan's report on the Tor experiment:

<https://overdrivesteve.com/macmillan-publishes-a-work-of-fiction/>

Libraries are not the villain here. They are promoting a product that is facing stiff competition from other entertainment options, Hulu, Netflix, YouTube, Facebook. Publishers should be embracing and supporting libraries for promoting their product - all day, every day - not trying to price us out of building book collections.

Authors, take note of these fantastic terms: if libraries don't buy a copy of your ebook in the first 8 weeks of publication, they can't obtain a perpetual license copy of your title. They can only rent it. So if libraries don't bet on your title when it first comes out, it probably won't be in their ebook collection at all in a few years.

Oh...and as for the "frictionless" experience that libraries can now offer with ebooks, one librarian from the Fairfax VA notes this:

*My library ( @fairfaxlibrary ) has 70 eBook copies of Educated and STILL has a super long wait list ~TWO YEARS in. We had to cap copies due to budget. Now the big publisher are shifting so we have to REPURCHASE every two years?? No. Just no. Because NO. #eBooksForAll #frustrated*

[https://twitter.com/kidsilk... ...](https://twitter.com/kidsilk...)

Jennifer Anne

@kidsilkhaze

Replying to @kidsilkhaze

*Educated by Tara Westover has an SRP of \$28*

*Amazon print \$16.80*

*Kindle \$14.99*

*Library print \$15.80*

*OverDrive \$55 for 24 months*

^ | v • Reply • Share ›



**Gretchen** • 12 days ago

How do you think readers discover new authors, particularly those who don't have the reach of the usual bestsellers? Surely you can't expect a voracious reader to be able to afford to buy every single book they might like to read, especially from an author they aren't sure if they'll like. However, if they

try out a new author from the library, they might like what they find enough to go out and purchase more of that author's books.

Also, think about it this way: if a voracious reader consumes one book per week, that's 52 books per year. The average mainstream e-book from Amazon costs about \$12.99. That's almost \$700 per year. Add in books that a reader may try, realize they don't like, and discard, and the cost jumps more. How many people have that much disposable income? (And, yet, my collections budget at my library is way, WAY over this...but I'm not allowed to purchase enough licenses to suit my patrons' needs. And libraries pay far more for e-books than the general customer, but that's an argument for a different day.) What happens when a reader can't afford to purchase all the books they want to read, and libraries are not allowed to provide enough copies to suit their needs?

These policies literally punish the customers publishers are trying to retain.

They also punish libraries. We are not pirates. We are funded through taxpayer money, and we have a civic responsibility to provide our patrons with what they need. We use that money to purchase books from publishers. Publishers are preventing us from doing our jobs.

2 ^ | v • Reply • Share ›



**Martha Knox** → Gretchen • 2 days ago • edited

I just went to check out an ebook at my local library And ALL I see are pages after pages of popular mysteries with ridiculous wait times, not available on loan. My local library is wonderful about supporting new authors. As an author and a voracious reader, I buy at least 4 or 5 books a week or more. I check out twice as many every two weeks. My #1 vice. I enjoy discovering new writers and once I like them I read everything they write. Libraries are FREE to patrons, the way it has been since I was old enough to get a library card (6 years) and I'm 72. I buy books at full price, I check books out of my library, and I recommend books I have read. I am appalled at how much MacMillan charges libraries. My own mystery ebook sells for \$2.99 World wide and as an Author I make \$2.00. I make a good profit, My readers can afford a new book at a reasonable price. It doesn't sound like much but if you do the math-it's the chessboard math problem.. One grain of rice on the first square, the 2 on the second square, then 4 on the third square, and so on. By the time you reach the 36th square you are in the millions. Happily my first book sold up to the 11th square. I'm finishing my second then I'll have two books each making  $2^{11}$ , then I'm .writing the rough draft of my third book, each book keeps chugging along at a \$2 royalty each month. I'm charging my readers a fair price and I'm making a fair profit. I guarantee that any MacMillan author is lucky if they make 25 cents on a ten dollar ebook. Libraries are not the bad guys. They are not the enemy of authors. Also FYI I donate books to my library.

^ | v • Reply • Share ›



**RandiStowe** • 12 days ago

You need a correction. Readers aren't reading ebooks for free. I pay my taxes and the library buys book. I don't see how "free" here.

2 ^ | v • Reply • Share ›

2 ^ | v • Reply • Share ›



**iwakar** • 13 days ago

"We look forward to seeing how this new program affects readership—and ultimately, authors' royalties."

Oh, as a librarian with \$78,500 in purchasing power every fiscal year and an Olympic gold medal in remembering short-sighted publishers and organizations that try to cripple libraries, I do, too. I. Do. Too. Honey.

2 ^ | v • Reply • Share ›



**Katwiccan** • 13 days ago

Well sorry MacMillan, you lose. I won't buy a single book published by you again. I'll only read library copies no matter how long the wait is. Bye-bye.

I spend hundreds of dollars a year on books.

^ | v • Reply • Share ›



**angelbird72** • 13 days ago

This is a terrible development! Seeing libraries as competition for direct sales is some seriously strange thinking.

I read ebooks through my library's app. I had a recommendation the other day for a series I might like. I'll try it out, I thought. Nope, not on the app. I didn't go out and buy it, because I don't know if I want it yet. So I just haven't read it. May never. But had I read that first ebook and loved it, I probably would go buy the series to own.

Also, your first link does not actually support the point you're linking.

1 ^ | v • Reply • Share ›



**Colin** • 13 days ago

This hurts small authors - the ones who people try a few of their books from the library before committing to buying their books. It benefits the big authors, whose popular works are always on hold at the library. Authors more than anyone else should support our local libraries, especially those in large systems. A single copy of a book is not enough for a major city, imagine how many licenses they will need to purchase. Lawmakers already want to cut costs around libraries! You think they'll hesitate to cut the number of e-books they can buy if they end up being more expensive than normal books?

4 ^ | v • Reply • Share ›



**Maria Rose** • 13 days ago

What a horrible plan. Reducing access to libraries benefits no one.

4 ^ | v • Reply • Share ›



**cirose** • 13 days ago

Show me all of these



sname on all of you.

5 ^ | v • Reply • Share ›



**The Authors Guild** Mod ➔ cirose • 13 days ago

approved

^ | v • Reply • Share ›



**Lenora\_Rose** • 13 days ago

Libraries are not pirates.

7 ^ | v • Reply • Share ›



**Jesryn** • 13 days ago

Oh yes that one ebook copy for the entire library system of cities like New York, LA, and Chicago should certainly be enough to meet the needs of disabled and elderly readers who can't make it to the library in those cities.

I am a reader who buys a lot of books. This statement makes me want to buy less.

10 ^ | v • Reply • Share ›



**Lids** • 13 days ago

Libraries pay for ebooks (often considerably more than retail price), thereby contributing to author royalties and book sales. We build readership and introduce readers to new authors. I suspect long-term, as ebooks are made less affordable and practical for libraries and we're forced to allocate budgets elsewhere, the publishers will be proven to have shot themselves and their authors in the foot.

8 ^ | v • Reply • Share ›

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X ACCEPT ALL COOKIES



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[https://www.somdnews.com/enterprise/news/local/libraries-struggle-for-equity-against-digital-publishers/article\\_8272e83b-60bf-5931-83c3-bab8e01be0e1.html](https://www.somdnews.com/enterprise/news/local/libraries-struggle-for-equity-against-digital-publishers/article_8272e83b-60bf-5931-83c3-bab8e01be0e1.html)

## Libraries struggle for equity against digital publishers

By TAYLOR DEVILLE [tdeville@somdnews.com](mailto:tdeville@somdnews.com) 5 hrs ago



Michael Blackwell, right, director of St. Mary's County Library, talks last April to Rebecca Vanecko, co-president of the Friends of the St. Mary's County Library, which hosted a state-of-the-library event last year at the Lexington Park branch.  
FILE PHOTO

Digital content is one of the fastest-growing areas of borrowing in American libraries, with rates at the St. Mary's County Library system jumping 15% from 2018 to 2019 — but the restrictive lending practices of the largest e-book vendors have prompted the American Library Association to convene a task force, and they aren't ruling out legislative action.

Michael Blackwell, director of the St. Mary's library system, has taken the helm in the ALA's struggle against the "Big Five" e-book publishers (Hachette Book Group, Macmillan, HarperCollins, Penguin Random House and Simon & Schuster), advocating on behalf of libraries to change the current model of how publishers lease out digital content to libraries.

"Libraries are seeing an average 10% to 30% growth in digital media," Blackwell said last week. "And meeting that demand is going to be impossible. We simply cannot, under the current model, do more than we do. And as prices go up, we'll do less."

Since e-books began taking off in libraries about 2010 and publishers, who had been hesitant, began to make content more widely available in 2014, their lending models have increasingly been accused by some librarians to be unsustainable.

While there are different ways of leasing out digital content licenses, publishers set all the rules, and can choose to execute one- or two-year contracts with libraries, offer perpetual access (an expensive option publishers are moving away from), or offer metered contracts, wherein the digital content is pulled from a library's system once it hits a certain circulation threshold, Blackwell said.

"The trouble with that is it tends to be expensive, and if it's a popular title, we've got to buy a lot of titles to meet the demand," Blackwell said. In some libraries, wait times for some digital content can go on for months.

For instance, the current cost to lease one digital copy of a title from Hachette costs around \$55 for a contract that would need to be repaid every two years; a recurring cost that gets to be exorbitant if libraries want to lease enough books to meet the demand for a popular title like "A Game of Thrones," Blackwell said. Comparatively, the Kindle version of that book could be purchased privately on Amazon for \$8.99.

"How do you justify that cost if you're a publisher? You're making so much more on something that has no physical" component, Blackwell said. "It doesn't cost you anything other than what you pay the author. Pricing is a concern but in terms of access to it, the restrictive licenses are more of an issue for us."

"Libraries pay as much as four or five times what you would pay as a consumer," Alan Inouye, senior director of public policy and government relations at the ALA, said Tuesday. "What's happened with these high prices is that libraries have tended to focus on the most popular titles, the



best sellers in e-books, because they want to get the most return. ... which is not a good collection for the library.”

Last year, digital content at St. Mary’s libraries was checked out 104,000 times, and accounted for 8% of the library’s total circulation. “It’s getting to be a larger proportion and we might have to try and put more money there, but it isn’t the best use of our money if we’re not getting a lot of return,” Blackwell said.

“Its difficult for us to build a really dependable collection that will match our print collection. ... It’s hard to manage the collection, know what you’ve got and maintain access to titles,” he said.

In recent months, publishers have begun to turn the heat up on libraries, collectively rolling out more restrictive rules on lending practices. Last month, Blackstone Audio announced a moratorium on library content sales, and will not lease out content within 90 days of a title’s release. Starting July 1, Hachette replaced its perpetual ownership model for digital content, requiring it to be repurchased every two years, drawing concern from the ALA.

Last year, MacMillan opted to embargo newly released e-books for four months, and publishing house officials said the decision was predicated on an adverse impact on its e-book sales, for which it posited library sales could be a contributing factor (although librarians pushed back on the claim).

“We expect that it’s a deliberate strategy to drive people to buy rather than to go to libraries,” Blackwell said.

Blackwell has been pushing for more access to e-book content in his capacity as an organizer at ReadersFirst, a coalition of over 300 libraries across the United States, but now, “I think it’s time to move past advocacy to getting libraries deeply concerned and willing to act on it,” he said.

Just last week, a resolution written by Blackwell and the Association of Specialized, Government and Cooperative Library Agencies, dubbed the “Resolution on E-book Pricing for Libraries,” was approved by the Council of the American Library Association.

The resolution calls for the creation of a task force to address “the high cost of e-books and audiobooks and restrictive licensing models,” to generate more public awareness and to urge “Congress to explore digital content pricing and licensing models to ensure democratic access to information,” it states.

Inouye said the best path forward, and how to achieve more equity in e-book licensing is “something we’ve been contemplating,” but that it’s “still an open question.”

Inouye hopes to engage more with the publishers directly, and said ALA officials and representatives of the “Big Five” publishing houses have been meeting, but that the ALA hasn’t ruled out seeking congressional action.

“We’re not sure if there’s a solution there or not, but we’re exploring those ideas more vigorously,” he said.

“We would like the publishers to develop multiple models,” Blackwell said. “Give us the option to have one copy in perpetual license to keep for the future, and we’ll buy a bunch of copies in the metered access model. We could spend more money more effectively on e-books if they do that, offering our readers more so they can get books more quickly and have more titles to choose from.”

“We may ask for an investigation of this whole” restrictive licensing practice, he continued, adding that publishers are “politely dismissive” when library officials do succeed in contacting them about the issue.

“It’s not that we’re out to get the publisher. We just think they’re divesting people, especially people who don’t have a lot of money who rely on public libraries to get good content. They’re shutting down democratic access to information,” Blackwell said.

Twitter: @TaylorEntNews

Twitter: @TaylorEntNews



(6)



## INDUSTRY & ADVOCACY NEWS

# Six Takeaways from the Authors Guild 2018 Author Income Survey

JANUARY 05, 2019

The following summarizes the results of our 2018 Author Income Survey and puts the data in context and the long-term impact on the writing profession in America.

### 1. **LARGEST U.S. SURVEY OF PUBLISHED AUTHORS EVER ([HTTPS://WWW.AUTHORSGUILD.ORG/INDUSTRY-ADVOCACY/AUTHORS-GUILD-SURVEY-SHOWS-DRAMATIC-42-PERCENT-DECLINE-IN-AUTHORS-EARNINGS-IN-LAST-DECADE](https://www.authorsguild.org/industry-advocacy/authors-guild-survey-shows-dramatic-42-percent-decline-in-authors-earnings-in-last-decade))**

- Largest survey of U.S. professional writers ever conducted, generating data from 5,067 published book authors (84 respondents are not currently based in U.S., but are U.S. citizens living abroad or Canadians selling in the U.S. market).
- **Participating organizations:** The Authors Guild and the 14 other writers organizations listed below participated, as well as several independent publishing platforms:

Authors Guild, Romance Writers of America, Society of Children's Book Writers, Sisters in Crime, International Thriller Writers, Textbook and Academic Authors Association, National Association of Science Writers, American Society of Journalists and Authors, Association for Garden Communicators, Independent Book Publishers Association, PEN American Center, Authors Alliance, Next Big Writer, B&N Press, Authors Registry, Ingram Spark, Reedsy, and Lulu.

- **Survey dates:** The survey was fielded from June 7 to August 21, 2018 to give all participating groups a chance to get it to their members.
- **Incentive:** Participants had the option of entering a drawing for 100 \$50 Visa gift cards.
- **Completion rate:** Of those who started the survey, 55% completed it out of 9,288 starting participants, far lower than the 74% who completed the 2015 Authors Guild member survey—due to concerns about hacking, the ISBN stratification question, and increased privacy concerns in today's digital environment.
- **Survey respondents demographics:** Of authors who responded,
  - 53% consider authoring books their primary occupation, spending half or more of their work time writing.
  - 56% write fiction.
    - 18% write literary fiction.
    - 38% write genre fiction.
  - 22% are academic, scholarly, or textbook authors.
  - 18% write general nonfiction.
  - 9% publish books to advance their work or personal brand (thought-leadership).

- 46% traditionally published; 27% self-publish only; and 26% do both—meaning that slightly more than half of the respondents have done some self-publishing.

## 2. CRISIS OF EPIC PROPORTIONS FOR AMERICAN AUTHORS, PARTICULARLY FOR LITERARY WRITERS

- Median incomes of all published authors who were surveyed—including part-time, full-time, traditionally published, self-published, and hybrid-published authors—for all writing-related activities[1] was \$6,080, down 3% from four years ago. This is down from a \$10,500 median income in 2009 according to the Authors Guild's last survey[2]. Worse still, the median income for all published authors based solely on book-related activities[3] fell from \$3,900 to \$3,100, down 21%, while full-time traditionally published authors earned \$12,400.
- Median income for full-time authors for all writing-related activities, however, was \$20,300 in 2017, up 3% from 2013. Note, however, that is still considerably lower than the \$25,000 median income full-time authors earned in 2009.
- Literary writers experienced the biggest decline (down 27% in four years) in amount they earned from book-related income, followed by general nonfiction (down 8%), raising serious concerns about the future of our literary heritage—of books that teach, inspire, and make us think and empathize.
- Roughly 25% of all authors surveyed earned \$0 in book-related income in 2017; 18% of full-time authors earned \$0 in book-related income during the same time period. This is likely because of the decline in ongoing royalties for previously published work and the decreased ability to receive a decent (or any) advance for the next book.

## 3. SELF-PUBLISHED WRITERS HAVE SEEN INCOMES RISE, BUT THEY STILL EARN LESS THAN TRADITIONALLY PUBLISHED AUTHORS

- While self-published authors were the only group to experience a significant increase (up 95% in book-related income from 2013 to 2017), *self-published authors as a whole still earned 58% less than traditionally published authors in 2017*. Among the authors surveyed who ranked in the top decile for author-related earnings, self-published authors earned 50% less with a median of \$154,000 compared to traditionally published authors in the top decile who earned a median of \$305,000. Note that the median 2017 author-related income of \$10,050 for self-published romance and romantic suspense writers is almost five times higher than the \$1,900 median author-related income for the next highest-earning self-published genre category of mysteries and thrillers. Moreover, the median author-related income for self-published romance and romantic suspense writers was only \$50 more in 2017 than in 2013, which may indicate that self-published romance writers as a group have reached a plateau for earnings under current business models.

## 4. FULL-TIME MID-LIST AND LITERARY WRITERS ARE ON THE VERGE OF EXTINCTION

More book authors, even those who consider themselves full-time writers, are forced to hold down multiple jobs to earn enough money to survive. This includes authors who have written books for decades and have survived on their writing in the past.

- **Inability to earn adequate living:** indeed just 57% of full-time published authors derived 100% of their individual income from writing-related work in 2017, and much of that writing income comes from activities such as speaking engagements, the teaching of writing, editing or translating the works of other authors, ghostwriting, etc. rather from book advances and royalties. *Only 21% of full-time published authors derived 100% of their individual income from book-related income.*
- Pulled away from book projects to focus on paying gigs means literary authors are writing and publishing less often.
- As the number of newspapers, magazines, and literary journals continues to decline, there are fewer opportunities to supplement income with commissioned journalism or literary pieces (short stories, essays, poems, etc.). Indeed, the number of full-time newspaper and magazine journalists has declined by more than 60% since 1990 according to the Bureau of Labor Statistics.
- The pay professional writers receive to create blog posts and other online content generally translates to well below the hourly minimum wage, despite the fact that 52% of the published writers surveyed have advanced degrees compared to 11% of the general population.

- It takes writers longer to research and write books since they have to do it between other money-earning ventures.
- The quality of books written by authors holding down other jobs may be affected since their attention is divided and writing is often pushed to what spare free time is left.
- Authors on average spend 7.5 hours every week on marketing and promoting their books, an increase of 14% (genre writers up 39%) over the past five years; yet only 8% of all published authors realized a significant increase in book-related income.

## 5. AMAZON FACTOR PLAYS A LARGE ROLE

Amazon dominates the book industry, both as a seller of books and as a publishing house. According to Codex's November 2018 National Book Buyer survey, Amazon owns 72% of the online retail book market, which includes both eBook and print books, and nearly 50% of all new book units sold in the U.S. according to Amazon's Annual Reports. Its control of so much of the retail market for publishers and for self-published authors affects authors in multiple ways:

- **Democratizes publishing:** On the upside, more people are writing and publishing books than ever before. Indeed, 33% of those surveyed published their first book in the past five years, and the number of authors self-publishing books rose by 72% since 2013.
- **Growth of online subscription programs** like Kindle Unlimited, which had a couple million subscribers in 2017, for which subscribers pay \$9.99 a month to access as many ebooks as they want, draws in the big genre fiction readers and results in them buying fewer books.\*
- **Fiction sales moving to Amazon:** Among the traditional book publishers tracked by AAP, fiction books sales declined by 16% and overall ebook sales declined 36% between 2016 and 2017, but Amazon experienced an increase of 21% and 43% respectively. An increasing amount of fiction book sales, especially genre fiction, has moved to Amazon.
- **Self-publishing is at the mercy of Amazon.** Seventy-six percent of self-published authors in our survey used Amazon platforms, including Kindle Direct, Create Space and ACX. While some authors are doing better self-publishing than they could be through traditional publishing, our survey shows that the overall median income for self-published authors averages 50–58% less than for traditionally published ones. Authors who self-publish with KDP Select and receive the marketing benefits that come with it, such as the ability to offer free books for five days, are required to take part in Kindle Unlimited (KU) and accept payments from the pool for reads through KU. KDP Direct authors get a royalty of only 35% if they price their books above \$9.99 (compared to 70% for books priced \$2.99–9.99), contributing to authors' losses and giving Amazon a windfall on books that are expensive to produce.
- **Amazon's dominance pressures publishers.** Amazon (which now controls 72% of the online book market in the U.S.) puts pressure on them to keep costs down and takes a large percentage, plus marketing fees, forcing publishers to pass on their losses to authors. (Other than marketing which they are cutting, advances and royalties are the one negotiable line in their P&L's.)

## 6. PUBLISHERS' BLOCKBUSTER MENTALITY, 25% EBOOK ROYALTY RATE AND INCREASE IN DEEP DISCOUNTING ADVERSELY IMPACTS AUTHOR INCOMES

- **Blockbuster mentality:** While mainstream publishers enjoy the cachet and increased sales that stem from publishing award-winning authors, in general they remain risk-averse, chasing "blockbuster" and celebrity authors. To land and keep these top-selling authors, publishers are forced to pay six-figure advances and then spend enormous resources promoting these books to recoup the huge outlays. This leaves fewer resources for mid-list writers—the 90%—where most literary fiction and non-fiction authors reside.
- **Royalties:** Royalties are down for most authors by 11% compared to 2013 data. We hear many complaints from authors, even those with best-selling books, that they are receiving little to no royalties. We suspect the reasons are:
  - An increase in the number of second-hand books sold by Amazon resellers at lower costs than the publisher's royalty-bearing copy furnished by Amazon. More and more sales are going to the reseller market and not to the publisher. There can be dozens of copies available cheaply from Amazon; often hardcover copies are available at lower prices than the paperback.
- Increased use of deep discounts. Most publishing contracts provide a very reduced or no royalty if books are sold at discounts over 55%.

- Publishers generally settled at the 25% of net rate for ebooks (<https://www.authorsguild.org/industry-advocacy/e-book-royalty-math-the-house-always-wins-2/>), which provides the author a much lower amount per book sale than hardcover books.
- The perennial problem of book store returns; these are put back into the market and compete with new royalty-bearing sales.
- This is an area the Guild will be researching further. We will gather data from members and other organizations' members for future studies.
- **Increased competition:** Bowker reports more than 1,000,000 books were published in the U.S. in 2017 (up from 300,000 in 2009); two-thirds of those books are self-published.
- **Small literary publishers and university presses lack significant resources:** While small publishers and university presses continue to support and enhance American culture and an understanding of our world by publishing emerging literary writers and nonfiction books by academics, both have limited resources to pay advances and promote books, and in general can only publish a small number of titles per year. Of the 73% of the authors surveyed who publish with a traditional publisher, 54% are with a small to mid-size house.

[1] Writing-related income derived from 18 categories including speaking engagements, freelance journalism, the teaching of writing, fellowships/writers in residence, ghostwriting, editing or translating other people's books, and other income-earning activities that utilize authors' unique literary skills but are not directly related to the writing and publishing of full-length books.

[2] The Authors Guild's prior surveys were focused on Authors Guild members. For our 2018 survey, we greatly expanded the number of published authors we surveyed to provide a much larger, highly diverse pool and wider perspective. We wanted to better understand how authors in different fields and publishing approaches are doing relative to one another to help authors identify which forms of publishing and which genres are most profitable. Because the participant pool was different for the 2018 survey, the data does not line up perfectly with our 2015 results, which looked at the changes in authors' income over the span of five years, comparing 2009 incomes to 2014 incomes; we refer to that survey and the 2009 median incomes as a point of reference only as that was the year Amazon sold its millionth Kindle and also launched its Amazon Publishing imprints to compete directly with traditional publishers, forever transforming the industry.

[3] Book-related income consists of advances (book contract fee), royalties (from publisher or self-published), foreign sales, serial rights, reprint/permission rights, film/tv/radio rights, and money from book awards and prizes. Author-related income consists of the combined earnings from writing-related activities and book-related earnings.

\*Updated on 1/9/19 based on information provided by Amazon.



Download [34.92 KB] (<https://www.authorsguild.org/wp-content/uploads/2019/06/income-survey-2019-slides.pdf>)

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2 Comments

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# **Final Report of the 2018 ALA-ASGCLA National Ebook Summit**

January 22, 2019

The National Ebook Summit was born from the work of the ASGCLA Consortial Ebooks Interest Group and has been made possible with financial support from the American Library Association, Califa Group and the Reaching Across Illinois Library System (RAILS). Generous staff time has been provided by the Association of Specialized, Government and Cooperative Library Agencies, a division of the American Library Association, Califa Group, Massachusetts Library System and the Reaching Across Illinois Library System. Summit planning was led by Paula MacKinnon, Veronda Pitchford and Stephen Spohn with support from Luma Consulting.



**ASGCLA**  
Association of Specialized, Government  
and Cooperative Library Agencies

**ALA** American  
Library  
Association

## From the Summit Conveners

Thank you to everyone who participated in the first ebook summit at the 2018 Annual Conference of the American Library Association in New Orleans. Your contributions were critical to this effort and we are forever in your debt. The national agenda that is set forth in this report sets the stage for cross-industry collaboration to solve challenges and to co-create positive changes to better serve readers.

Thank you as well to the readers of this report and to all those who will join us in the coming months and years to bring this agenda to life. ***This is our dare to be great moment!*** As you will see in this report, there is much work to be done by all partners and the summit was only the beginning. Please let us know how we can engage you in this important work.

We appreciate the support from ALA, ASGCLA, the Summit Advisory Committee and all participants who helped to make this summit a success. Many thanks to ALA Immediate Past President James "Jim" Neal for championing this initiative and to all those who personally and professionally supported and guided us in this effort!

Yours in library love,

**Paula MacKinnon**, Califa Group

**Veronda J. Pitchford**, Califa Group (formerly of RAILS)

**Stephen Spohn**, Massachusetts Library System

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## Executive Summary

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A National Ebook Summit was convened at the 2018 American Library Association Annual Conference to discuss challenges and opportunities in the library ebook marketplace. The summit represents the work of thought leaders throughout the industry from libraries, library consortia, publishers, distributors and other experts. It was sponsored by the American Library Association and its Association for Specialized, Government and Cooperative Library Agencies (ASGCLA) division and emerged from conversations among members of ASGCLA's Consortial Ebooks Interest Group.

### Summit Goals

- To create a national agenda for ebooks,
- To create synergy among people, organizations and initiatives in the ebook marketplace,
- To build consensus on ebook strategy and principles and
- To establish a working platform for constructive and meaningful dialogue, strategy development and progress.

### The National Agenda for Ebooks

The summit itself was a working day organized around five themes established by an advisory committee that helped to shape the day and the national agenda that follows.

### Licensing Models

*Having more flexibility to choose from among different models in order to meet different usage and circulation patterns.*

1. Work with industry partners to push for the adoption of the current [ONIX 3.0 standard](#) to accommodate multiple licensing models per item and to provide input in ongoing development of the standard.
2. Nurture results-oriented dialogue among publishers and librarians to optimize available licensing models to best meet library and industry needs and budgets.

### Impacts and Benchmarks

*Accurately portraying the current impact of ebooks. Setting future standards and benchmarks for sales and usage statistics. Creating a research agenda and specifying needed studies to inform future action.*

3. Convene library and industry leaders to develop and publish a study of ebook usage that connects with existing research efforts.
4. Educate libraries, publishers, distributors and authors about the impact of ebooks distributed via libraries.
5. Develop core training on data and data analysis for library workers.



## Accessibility

*Ensuring that ebooks and ebook platforms meet accessibility guidelines for people who are blind or visually impaired or for people with intellectual disabilities.*

6. Promote awareness of and compliance with EPUB Accessibility standards.
7. Perform accessibility testing on major consumer and library eBook platforms and apps.
8. Develop model licensing language that creates appropriate focus on accessibility that improves adoption of the Voluntary Product Accessibility Template (VPAT).
9. Develop training for librarians on accessibility, accessible features of computers and mobile devices, accessible content and accessibility features of ebook platforms and apps.

## Curation

*Giving libraries greater ability to curate materials and help patrons discover them (through easier acquisition, flexible displays, improved “browsing” and “filtering” functions).*

10. Support the development of standards that drive the interoperability of ebook systems for easier library curation and end-user discovery. Evaluate existing standards and identify gaps where new standards should be created.
11. Develop talking points on the importance of standards that can be used for marketplace advocacy, negotiation, development and fundraising.
12. Research the ebook supply chain and where libraries can most effectively exercise curation. Make recommendations that are applicable across library types and scalable to all sizes of libraries.
13. Support the development of standards that will drive the interoperability of ebook systems to improve end-user discovery and use.
14. Evaluate gaps in metadata that hinder curation and discovery and make recommendations for improvement.
15. Support the development and expansion of SimplyE.
16. Advocate for increased interoperability by proprietary eBook platforms with SimplyE.

## Content “Deserts”

*Obtaining desired but unavailable or difficult to find content (e.g. backlist, non-English language, out of print).*

17. Study user demand for ebooks in the content desert.
18. Develop a coordinated approach to expand access to this content along with guideposts for similar initiatives to keep the momentum.
19. Ensure that content made available is discoverable via SimplyE to maximize access.
20. Add OpenLibrary content to SimplyE.

The full report outlines the following for each of the themes in greater detail:





- Problems, challenges and opportunities
- Priorities
- Organizational partners
- Opportunities to get involved

## A Call to Action for ALA

The summit conveners respectfully call upon ASGCLA and ALA to support the National Agenda for Ebooks that emerged from this summit. The summit conveners will meet with the ASGCLA Board at the 2019 ALA Midwinter Conference to discuss next steps.

## For More Information

To learn more about the summit or to get involved in efforts related to this national agenda, contact the conveners of summit:

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Stephen Spohn, Massachusetts Library System  
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## Background

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This summit was born from ongoing dialogue among the summit conveners and many colleagues who are passionate about ebooks and who hope to design a better path forward. We believe that the system today is not doing its best to connect ebooks to readers and that we can do better. We also believe in a constructive approach that is focused on dialogue. To that end, we were committed to engaging with many thought leaders and industry partners in the development of the summit. We needed a national conversation among all stakeholders in the ebook ecosystem - librarians, publishers, distributors and other partners.

To be clear, this summit was focused on ebooks and eaudiobooks, collectively referred to as ebooks in this report, as they are distributed via libraries. Also, the summit and the national agenda that follows were a bit more focused on issues facing public libraries. We hope that as this agenda continues to evolve in the future that its scope expands to fully address the ebook challenges and opportunities facing all types of libraries and their readers.

## Our Vision

There are numerous national initiatives and conversations that must coalesce to effect positive change on the ebook reading ecosystem. This summit aims:

- To create synergy among people, organizations and initiatives in the ebook marketplace,
- To build consensus on ebook strategy and principles and
- To establish a working platform for constructive and meaningful dialogue, strategy development and action.

## Preparing for the Summit

Our biggest challenge was to invite a small, representative group of thought leaders in the ebook space to tackle those themes and to ensure that the work of the summit continued beyond the day. There were so many great people that we could not invite to attend this summit, but we knew that the summit was only the beginning and that everyone would find their place in the work that is to come.

To prepare, we formed an Advisory Committee to set goals and to shape the event. We worked with the Advisory Committee to refine our vision and to consider themes that would form the basis of our work together. We also surveyed the Advisory Committee and invited participants to refine the themes and to hone the agenda.

## Limited Scope

Another challenge was to limit the scope of conversations to a manageable set of themes. It should be understood that those themes are not intended to be exhaustive and that the summit itself is only a beginning. As our work continues, we expect that scope to evolve to reflect the priorities of the libraries, consortia and industry partners and maintain the momentum of the national agenda.



## People and Organizations

---

### Summit Advisory Committee

The following individuals advised on summit goals, activities and prospective attendees.

Cindy Aden  
Washington State Library

Mitchell Davis  
BiblioLabs

Andrew Medlar  
BookOps

Michael Bills  
Baker & Taylor

Skip Dye  
Penguin Random House

Mary Minow  
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Orbis Cascade Alliance

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Organization

Paula Mackinnon  
Califa Group

Lisa Wadors  
Benetech

Scott Wasinger  
EBSCO

Becky Clark  
Library of Congress



## Attendees

Summit participants developed the initial action plans in this report and helped to shape next steps for this important work.

Cindy Aden  
Washington State Library

Becky Brasington Clark  
Library of Congress

Linette Greske  
bibliotheca

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NetRead

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Digital Public Library of America

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Hong Ma  
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Deirdre Brennan  
Reaching Across Illinois Library  
System

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American Library Association

Paula MacKinnon  
Califa Group

Rachel Bussey  
BiblioLabs

Chris Freeland  
Internet Archive

Carol Mandel  
New York University Libraries

Todd Carpenter  
National Information Standards  
Organization

Rachel L Frick  
OCLC

Micah May  
Digital Public Library of America

Angela Carreno  
New York University

Teri Gallaway  
LOUIS

Anne E. McKee  
Greater Western Library Alliance

Galadriel Chilton  
Ivy Plus Libraries

Sara Gold  
WiLS

Andrew Medlar  
BookOps



## Attendees (cont.)

Robert Miller  
LYRASIS

J. Elizabeth Mills  
University of Washington  
Information School

Mary Minow  
Harvard University

Jill Morris  
PALCi

Janet B. Morrow  
Northeastern University Libraries

Jim Neal  
American Library Association

Sharon Nemecek  
Douglas County Libraries

Lisa Novohatski  
Gale | Cengage Learning

Brian O'Leary  
Book Industry Study Group

Kellie O'Rourke  
Cambridge Press Group

Christine Peterson  
Amigos Library Services

Veronda J. Pitchford  
Califa Group

Jane Plass  
Reaching Across Illinois Library  
System

Steve Potash  
OverDrive

Greg Pronevitz  
Massachusetts Library System

Michael Santangelo  
BookOps

Tressa Santillo  
Massachusetts Library System

Rebecca Seger  
Oxford University Press

Mary Soucie  
North Dakota State Library

Stephen Spohn  
Massachusetts Library System

Paul Swanson  
Minitex

Lisa Wadors Verne  
Benetech

## Consultants

### [Luma Consulting](#)

John Smith  
William Vesneski

*Luma Consulting assisted with summit planning, provided facilitation at the summit and recorded notes that were used to inform this report.*



## Conveners

### **Paula MacKinnon**

Paula MacKinnon is Executive Director of Califa Group, the largest library network in California. Califa brokers the procurement of library products for California libraries, administers statewide and federal grant projects including a statewide ebook platform, and offers Continuing Education training through the Infopeople project. She is a library professional with 20+ years' experience developing and managing innovative web services for public and special libraries. Her recent projects include award-winning library services enki Library, a California ebook platform that makes ebook ownership a reality for libraries; Discover & Go, a downloadable museum pass platform for California libraries; and LiveChat, an eGovernment Customer Relationship Management service provided by libraries. Paula holds a master's degree in library science from Dalhousie University.

### **Veronda J. Pitchford**

At the time of the summit, Veronda J. Pitchford was the Director of Membership and Resource Sharing for the Reaching Across Illinois Library System (RAILS), a resource sharing state agency serving multi-type libraries in northern and western Illinois, where she managed eRead Illinois on the Baker & Taylor Axis 360 platform and the multi-use, statewide and geolocated Biblioboard ebook platform with content and curation partners such as the Independent Publishers Group, the Chicago Children's Museum and Publisher's Weekly. In November 2018 she became the Assistant Director at the Califa Group. Veronda works nationally with library consortia, vendors and publishers to position libraries as the purveyors of econtent in the communities they serve. She was named a Library Journal Mover and Shaker in 2005 and received the 2018 Cathleen Bourdon Service Award administered by the Association of Specialized, Government and Cooperative Library Agencies (ASGCLA). She has a master's degree in library and information science from North Carolina Central University, a historically black college in Durham, North Carolina.

### **Stephen Spohn**

Steve is the Resource Sharing Director at Massachusetts Library System, a statewide library consortium serving nearly 1,600 libraries of all types. Following a successful pilot, Steve helped launch Commonwealth eBook Collections, a statewide eBook program in 2014. Since then, the program has evolved into a statewide collaboration among multiple entities focused on expanding access to ebooks and marketplace advocacy for library-friendly policies, pricing and technology. Beyond ebooks, Steve leads assessment and advocacy efforts at Massachusetts Library System and works statewide to nurture and support resource sharing. In his spare time, he enjoys conspiring with his colleagues - Veronda Pitchford and Paula MacKinnon - on national ebook priorities and the quest for the perfect nacho at ALA conferences. Prior to joining Massachusetts Library System, Steve was a library consultant and an academic library director. He received his M.L.S. from the University of Maryland.



# The Summit

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The Summit took place on Friday, June 22, 2018, at the American Library Association Annual Conference in New Orleans. There were 63 total participants including the conveners and consultants.

## The Agenda

The day began with opening remarks from then ALA President James Neal. This was followed by a panel discussion with thought leaders from different parts of the industry to help set the stage for the work to come. The remainder of the day was devoted to work group sessions.

- 8:00 **Welcome**  
James Neal, ALA President
- 8:15 **Overview**  
Paula MacKinnon, Califa Group  
John Smith, Luma Consulting  
William Vesneski, Luma Consulting
- 8:45 **Panel Discussion**  
Cindy Aden, Washington State Library  
Dana Bostrom, Orbis Cascade Alliance  
Skip Dye, Penguin Random House  
Brian O’Leary, Book Industry Study Group  
Veronda Pitchford, Reaching Across Illinois Library System-Moderator  
Michael Santangelo, BookOps Library Service Center
- 9:45 **Work Groups I**
- 12:15 **Work Groups II**
- 1:30 **Work Group Reports**  
Deirdre Brennan, Licensing Models  
Todd Carpenter, Impact Data, Benchmarks & Research  
Andrew Medlar, eBook Content Deserts  
Michael Santangelo, Curation & Discovery  
Lisa Wadors Verne, Accessibility
- 2:30 **Closing**  
Paula MacKinnon, Califa Group  
Jeanette Smithee, ASGCLA President
- 3:00 **Adjourn**



## Work Groups and the Summit Themes

There were work groups for each of the five themes of the summit. Each work group had two facilitators who helped to guide discussions and take notes for the group. Participants were assigned groups for the morning session based on their ranked preferences submitted prior to the summit. In the afternoon, participants joined groups based on their secondary interests. The following themes were the basis of their work:

- **Licensing Models**  
Having more flexibility to choose from among different models in order to meet different usage and circulation patterns.
- **Impacts and Benchmarks**  
Accurately portraying the current impact of ebooks. Setting future standards and benchmarks for sales and usage statistics. Creating a research agenda and specifying needed studies to inform future action.
- **Accessibility**  
Ensuring that ebooks and ebook platforms meet accessibility guidelines for people who are blind or visually impaired or for people with intellectual disabilities.
- **Curation**  
Giving libraries greater ability to curate materials and help patrons discover them (through easier acquisition, flexible displays, improved “browsing” and “filtering” functions).
- **Content “Deserts”**  
Obtaining desired but unavailable or difficult to find content (e.g. backlist, non-English language, out of print).

## Numerous Ebook Initiatives and Organizations

One of our important goals was to be a bridge among important ebook initiatives for interested people. In addition to the work groups, we also attempted to contact as many initiatives and organizations as we could find to share information about their efforts with participants. We placed information into the summit packet and encouraged lunchtime dialogue among on the following initiatives and organizations:

- [ASCLA Consortial Ebook Interest Group](#)
- [Book Industry Study Group](#)
- [Charlotte Initiative](#)
- [COSLA Ebook Working Committee](#)
- [DPLA Ebook Exchange](#)
- [Library for All](#)
- [NISO Ebook Projects](#)
- [Occam’s Reader](#)
- [Open Libraries](#)
- [Panorama Project](#)
- [SimplyE](#)





Note that this is not an exhaustive list of related initiatives and organizations. This is simply a list of organizations who supplied information.

There were many intersections with the work of the summit and the national agenda. A substantial focus after the summit was to engage with the people behind these initiatives to refine the National Agenda for Ebooks and to recruit coalition partners. This work led to a delay in this summit report but was critical to our efforts.



## A National Agenda for Ebooks

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What follows is a synthesis of the ideas and aspirations from summit attendees along with follow-up conversations with key partners that will help to put this national agenda in motion.

At the summit, participants defined the problems they wished to address as well as tentative action plans to set priorities. Following the summit, the conveners meet with key partner organizations to discuss the action plans developed by participants and how they fit into existing or planned initiatives. This national agenda attempts to honor the participants, to bring light to critical existing initiatives and to focus our collective attention to maximize our progress.

The agenda remains organized around the themes of the summit and calls out the key organizational partners who will provide leadership. In addition, the agenda highlights important upcoming meetings and events along with other opportunities so that interested community members can join the efforts.

### Licensing Models

Developing simpler and more flexible choices from among different models that best serve the libraries, readers and the industry.

Co-facilitated by [Deirdre Brennan](#) and [Sari Feldman](#)

### Problems, Challenges and Opportunities

The first set of challenges discussed by this workgroup center on the [ONIX standard](#). The ONIX for Books standard governs the sharing of metadata from publishers on eBooks. Currently, U.S. publishers primarily use ONIX 2.1 which only accommodates a single licensing model per record. This results in multiple records for the same work available via different lending models and overcomplicates purchasing, recordkeeping and end-user discovery. The ONIX 3.0 standard allows for multiple licensing models, but its use in the United States is limited by the willingness of trading partners to adopt the standard.

Next, participants discussed the shortfalls of the current suite of licensing models. It is unlikely that there is a single ideal model for licensing ebooks. Different licensing models reflect the myriad ways that libraries make books available for long-term use and to meet short-term needs and demands. All partners in the ebook ecosystem must come together to develop a standardized menu of licensing models. Additionally, any solution to this challenge must reflect that this is an ecosystem and the “business” of ebooks needs to work as well as the library use.

Libraries have a rich history of resource sharing, that is sharing print books and physical media amongst themselves via interlibrary loan to meet demand for content that is beyond the scope of their local collections which must evolve to meet reader needs in the digital age. Participants then discussed additional areas that deserve attention, such as interlibrary loan. Digital licenses often do not have provisions for interlibrary loan or specifically prohibit interlibrary loan, placing artificial obstacles between readers and ebooks. This is both a licensing and technology challenge that must be addressed.

While the conversations in this area were mainly focused on public library distribution, conversations and solutions in this theme must reflect distribution by all types of libraries. It was noted that academic libraries



have been more proactive and have made more progress with distribution and lending of academic library content. Future work on licensing models should build upon that progress.

It should also be noted that pricing, while widely recognized as a big challenge, was not covered during the summit so that all participants throughout the industry could fully participate in the summit.

## Priorities

1. Work with industry partners to push for the adoption of the current [ONIX 3.0 standard](#) to accommodate multiple licensing models per item and to provide input in ongoing development of the standard.
2. Nurture results-oriented dialogue among publishers and librarians to optimize available licensing models to best meet library and industry needs and budgets.

## Organizational Partners

[Book Industry Study Group](#) (BISG) and [ReadersFirst](#) will support this area. Book Industry Study Group is responsible for the implementation and maintenance of the ONIX standard in the U.S. market. Its mission includes fostering dialogue among publishers and librarians. ReadersFirst membership represents people from libraries, publishers and distributors who are committed to better user experience for readers. Together, they are well-positioned to carry forward the national agenda as it relates to licensing models.

## Get Involved

- [Join BISG](#)
- [Join ReadersFirst](#)
- Attend the next Readers First meeting at ALA Midwinter 2019 Seattle Conference: Friday at 12:30 in the Hyatt Junior Ballroom East
- Contact Book Industry Study Group: Brian O’Leary [brian@bisg.org](mailto:brian@bisg.org)
- Contact ReadersFirst about this initiative: Paula MacKinnon [pmackinnon@califa.org](mailto:pmackinnon@califa.org)
- Contact ReadersFirst in general: Michael Blackwell [mblackwell@stmalib.org](mailto:mblackwell@stmalib.org)



## Impacts and Benchmarks

Accurately portraying the current impact of ebooks (sharing statistics and aggregating metrics across libraries, vendors, publishers with data in current form). Setting future standards and benchmarks for sales and usage statistics. Creating a research agenda and specifying needed studies to inform future action (e.g. determining who is reached by ebooks, understanding the impact of ebook marketing, gathering data to make ebooks more inclusive and representative of society).

Co-facilitated by Todd Carpenter and Rachel Frick

## Problems, Challenges and Opportunities

This work group explored the need for a solid study of libraries and ebooks. How can we measure the accumulated use of a work? How can we assess the impact of library distribution on overall distribution of an individual work? How do libraries through readers advisory drive overall distribution and readership of individual works through libraries?

Currently, data on sales, distribution and library use are siloed. Libraries, in particular, have massive amounts of local data. Participants discussed how libraries can share data in a meaningful way to contribute to this work. Additionally, participants discussed potential intersections with the work of COUNTER, Project Outcome, Measures That Matter, the Panorama Project, IMLS, state libraries and other statistical programs or initiatives.

Additionally, the work group considered how national scale data might help to explore equity of access to digital content. How do socio-economic factors correlate to access and use, and how can we share and use this data while maintaining patron privacy?

Moving ahead, this work must come to agreement on metrics and practices for sharing and analyzing data. It was noted that there is an ASGCLA Research Agenda Task Force that may have some relation to the work of this group.

Finally, participants discussed a skills gap that must be addressed. Data, data analytics and ethical applications of data are not consistently or adequately addressed in LIS education today. We must establish a set of core competencies and develop/coalesce training to help librarians to effectively use data to drive decisions and understand the use and implications of access to digital content in their communities.

## Priorities

3. Convene library and industry leaders to develop and publish a study of ebook use that connects with existing research efforts.
4. Educate libraries, publishers, distributors and authors about the impact of ebooks distributed via libraries.
5. Develop core training on data and data analysis for library workers.



## Organizational Partners

[Book Industry Study Group](#) (BISG) will support this area. The conveners have also suggested that the [Chief Officers of State Library Agencies](#) (COSLA) partner with BISG to bring focus here. Book Industry Study Group is already working with industry partners on open access ebook usage, a project sponsored by the Mellon Foundation. A preliminary report that informed a December 2018 summit is available for review. A final report of this effort will be published in May 2019.

COSLA, in partnership with the Institute for Museum and Library Services, launched the [Measures that Matter](#) project to “examine, evaluate, and map the landscape of public library data collection in the United States.” COSLA will consider points of intersection between Measures that Matter and ebooks as it moves forward with the Measures that Matter [Action Plan](#).

## Get Involved

- Read the [open access ebook usage data preliminary report](#) from BISG.
- Learn more about [Measures that Matter](#) and its newly released [Action Plan](#).
- [Join BISG](#)
- Contact Book Industry Study Group: Brian O’Leary [brian@bisg.org](mailto:brian@bisg.org)
- Contact COSLA: [info@cosla.org](mailto:info@cosla.org)

## Accessibility

Ensuring that ebooks and ebook platforms meet accessibility guidelines for people who are blind or visually impaired or for people with intellectual disabilities.

Co-facilitated by [Becky Brasington Clark](#) and [Lisa Wadors Verne](#)

## Problems, Challenges and Opportunities

This work group took an expansive view of accessibility. In addition to people who are blind or visually impaired, the group considered intellectual differences, e.g. autism, and people impacted by the digital divide due to socioeconomic and geographic factors. There are a variety of different definitions of accessibility that are shared within the industry. This leads to misunderstandings and mismatched expectations. The group felt that a shared definition of accessibility must be established and then applied to all aspects of ebook creation and distribution.

First and foremost, this group grappled with the lack of accessibility in mobile devices, ebook apps and ebook files themselves. Accessibility, it seems, is often an afterthought in the development of library ebook applications. Additionally, [EPUB 3](#) provides the greatest level of support for accessibility. However, EPUB 3 is not fully supported or implemented in all ebook platforms and very few ebooks are currently made available in EPUB 3 format. ONIX 2.1 does not adequately reflect accessibility when a library has multiple copies of an ebook from which to choose, and licensing does not often adequately convey expectations and obligations to make platforms and content fully accessible. A lack of ebook accessibility metadata in ONIX leads to a lack of metadata in library discovery systems for readers. (VitalSource is making some progress on this front.) This problem is more fully addressed in ONIX 3.0, but the standard is not widely implemented in the United States



(see Licensing Models). Also, it was noted that accessibility of ebook content in foreign languages is particularly poor in the United States.

Similar to the Impacts and Benchmarks work group, participants in this group felt that there is also a skills and training gap when it comes to accessibility. They recommend enhancements to LIS education and the development of core competencies and training to fill the gap. Public library staff in particular lack access to accessibility experts who can assist them to meet the needs of their communities or who can advise them on the procurement of accessible digital content.

Finally, participants reflected on ebook industry practices that unknowingly affect accessibility, specifically the digital divide. According to Pew and other research, mobile use is greater in lower income communities where there is a higher prevalence of older mobile devices. Many products are not fully backward compatible with older devices. One step to address these issues and increase access is to build applications that adapt seamlessly to lower-bandwidths.

## Priorities

6. Promote awareness of and compliance with [EPUB Accessibility standards](#).
7. Perform [accessibility testing](#) on major consumer and library eBook platforms and apps.
8. Develop model licensing language that creates appropriate focus on accessibility and that improves adoption of the Voluntary Product Accessibility Template (VPAT).
9. Develop training for librarians on accessibility, accessible features of computers and mobile devices, accessible content and accessibility features of ebook platforms and apps.

## Organizational Partners

Accessibility efforts will be supported by the [DAISY Consortium](#) with additional support from the [Book Industry Study Group](#). Both organizations have already been working hard on this theme, and we are delighted to help connect the broader library community to their work. In particular, the DAISY Consortium has two important related initiatives. [Inclusive Publishing](#) promotes awareness of and compliance with EPUB Accessibility standards along with related resources for publishers and authors. They also have a crowd-sourced initiative to [evaluate ebook applications for accessibility](#).

## Get Involved

- Learn about [accessible digital publishing](#).
- Volunteer to [test eBook platforms and apps](#).
- Volunteer to [develop model licensing language on accessibility](#).
- Contact [Inclusive Publishing](#).



## Curation

Giving libraries greater ability to curate materials to help patrons discover them (through easier acquisition, flexible displays, improved “browsing” and “filtering” functions).

Co-facilitated by Michael Bills and Michael Santangelo

## Problems, Challenges and Opportunities

Many ebook platforms are proprietary and not standards-based, making interoperability and discovery difficult especially when a library has multiple ebook providers. Library ebook platforms must be based on standards that enable libraries to streamline discovery and to fulfill their roles to lead readers to the best content to meet their needs. It was noted that standards for ebooks and ebook platforms need to be flexible, living documents, as the pace of technological change is rapid. Projects like SimplyE rely on standards such as OPDS and ONIX.

Additionally, participants noted that it is difficult to provide seamless discovery of ebooks in and out of copyright simultaneously. Public domain ebooks via open websites are often not built for effective library distribution.

## Priorities

10. Support the development of standards that drive the interoperability of ebook systems for easier library curation and end-user discovery. Evaluate existing standards and identify gaps where new standards should be created.
11. Develop talking points on the importance of standards that can be used for marketplace advocacy, negotiation, development and fundraising.
12. Research the ebook supply chain and where libraries can most effectively exercise curation. Make recommendations that are applicable across library types and scalable to all sizes of libraries.
13. Support the development of standards that will drive the interoperability of ebook systems to improve end-user discovery and use.
14. Evaluate gaps in metadata that hinder curation and discovery and make recommendations for improvement.
15. Support the development and expansion of SimplyE.
16. Advocate for increased interoperability by proprietary eBook platforms with SimplyE.

## Organizational Partners

NISO and the soon-to-be SimplyE governance group are poised to take supporting roles in this thematic area. [FASTEN](#) (Flexible API STandard for E-content NISO) is a NISO working group that is developing standards and tools to seamlessly integrate digital content into library discovery and delivery solutions. [SimplyE](#) is a library developed eBook discovery and delivery platform originally developed at New York Public Library with grant funding from the Institute of Museum and Library Services.



## Get Involved

- Learn about the [NISO FASTEN Working Group](#) and its efforts.
- Learn about [SimplyE](#).

## Content Deserts

Obtaining desired but unavailable or difficult to find content (e.g. backlist, non-English language, out of print).

Co-facilitated by Dana Bostrom and Andrew Medlar

## Problems, Challenges and Opportunities

This group considered the definition of “content deserts.” (The name choice for this theme may have hindered progress at the summit.) In what parts of the content desert is user interest greatest and how can we maximize access to this content once it is made available?

## Priorities

17. Study user demand for ebooks in the content desert.
18. Develop a coordinated approach to expand access to this content along with guideposts for similar initiatives to keep the momentum.
19. Ensure that content made available is discoverable via SimplyE to maximize access.
20. Add OpenLibrary content to SimplyE.

## Organizational Partners

ReadersFirst will support this work along with its work on licensing models. ReadersFirst is already committed to carrying forward the work of the summit, and its members are well-suited to provide input on priorities for a focused approach to securing access to ebooks in the “content desert.” It is recommended that ReadersFirst and ALA engage with the Internet Archive’s Open Library Project which already facilitates access to ebooks that are difficult to find or unavailable in electronic formats.

## Get Involved

- [Join ReadersFirst](#)
- Attend the next Readers First meeting at ALA Midwinter 2019 Seattle Conference: Friday at 12:30 in the Hyatt Junior Ballroom East
- Contact ReadersFirst about this initiative: Veronda Pitchford [veronda@califa.org](mailto:veronda@califa.org)
- Contact ReadersFirst in general: Michael Blackwell [mblackwell@stmalib.org](mailto:mblackwell@stmalib.org)
- Learn about Internet Archive’s [Open Library Project](#).





## Overall Coordination and Communication

The ASGCLA Consortial Ebooks Interest Group will remain as a convener and connector for this work as it moves ahead. Other allies, such as the Book Industry Study Group and Digital Public Library of America, are also eager to provide forums for ongoing dialogue. Interest group leaders and summit conveners will meet with ASGCLA leadership at the 2019 ALA Annual Conference to discuss an appropriate place to situate this work that positions ALA to proactively and responsively provide leadership for this effort.

### Meetings at ALA Midwinter and Annual

The Consortial Ebooks Interest Group holds regular meetings at ALA Midwinter and Annual on Fridays and shares space with other ebook meetings that day. These meetings will be the place to go for updates on the national ebook agenda and to get involved. The interest group also has an ALA email list that will be used for updates and to nurture participation.

Regular participants at these meetings also share informative and timely updates about library ebook initiatives that are well-received by participants. All are welcome at these open meetings.

### Get Involved

We can't do this without you! This national agenda is only the beginning. Together, we can make a difference and maintain focus on this agenda as it continues to evolve to guide our efforts.

- Join the [ASGCLA Consortial Ebooks Interest Group listserv](#).
- Attend the [interest group's meeting](#) at ALA Midwinter 2019.
- Attend the ebook meetings at [DPLAfest 2019](#).
- Reach out to one of the partner organizations mentioned in this report.
- Share this report with your colleagues and foster involvement with the National Agenda for Ebooks.



