

PRAMILA JAYAPAL
7TH DISTRICT, WASHINGTON

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Congress of the United States
House of Representatives
Washington, DC 20515-4707

December 6, 2019

John Sargent
Macmillan Publishers
120 Broadway
New York, NY 10271

Dear Mr. Sargent:

Libraries play a key role to address inequality and ensure that communities across the U.S. have access to knowledge. To be effective, libraries must be able to connect the public with a wide range of digital tools and types of digital content. Macmillan Publishers recently placed significant limitations on libraries' access to the digital content your company controls. Many libraries are concerned that these limitations will make timely digital content inaccessible to library users.ⁱ

I have heard concerns from libraries in my district and from across the country about Macmillan Publishers' new limitations on timely library access to newly published digital content.ⁱⁱ The Seattle Public Library described this restriction on library use as "a dangerous precedent" and "the most restrictive to date", with the potential to cause "decreased access to new publications and increased wait times for popular e-book titles."ⁱⁱⁱ The American Library Association has raised the concern that such a policy "prevents libraries from accomplishing their democratizing mission of providing equal access to information to American citizens."^{iv}

In the interest of ensuring that children and adults in my district and across the nation have access to up-to-date digital content from their public libraries, I request that you provide answers to the following questions by January 5, 2020:

1. What is Macmillan Publishers' policy regarding digital content access for libraries?
2. How many libraries are impacted by Macmillan Publishers' new policy?
3. What data did Macmillan Publishers rely on when setting its new policy?
4. What steps will Macmillan Publishers take to ensure fair and equal access for libraries to all of Macmillan's digital content?
5. What steps will Macmillan Publishers take to ensure fair pricing and licensing options for libraries?

I look forward to working with you to ensure that children and adults in my district and across the nation have access to up-to-date digital content through public libraries.

Sincerely,



PRAMILA JAYAPAL
Member of Congress

ⁱ Letter from The Seattle Public Library to Chairman David Cicilline and Ranking Member Sensenbrenner (November 22, 2019) (“As you are likely aware, Macmillan Publishers, one of five major publishing companies, has recently undercut libraries’ ability to provide equitable access to e-books and to meet the growing demand for this format. As of November 1, 2019, Macmillan banned all library systems (regardless of size) from purchasing newly released e-books for eight weeks except for one permanent copy. After that, libraries can purchase unlimited quantities of two-year lease copies. Macmillan is not the only publisher to change its lending terms, however, Macmillan’s actions are the most restrictive to date.”)

ⁱⁱ Publishers Weekly, “Macmillan CEO John Sargent: ‘We’re Not Trying to Hurt Libraries’” (October 30, 2019) <https://www.publishersweekly.com/pw/by-topic/industry-news/libraries/article/81596-macmillan-ceo-john-sargent-we-re-not-trying-to-hurt-libraries.html>

ⁱⁱⁱ *Supra* endnote i

^{iv} American Library Association, “Before the U.S. House of Representatives Committee on the Judiciary: Competition in Digital Markets” (October 15, 2019)