

Advocacy Work

September 1, 2022 to December 31, 2022

Summary: ABA's Advocacy Division's key focus this quarter continued to be mounting our opposition to attempts to ban books, ABFE Fundraising, coalition building, urging membership to support Sen. Klobuchar's antitrust bill in the Senate, support for the Credit Card Competition Act, as well as writing the third white paper.

ABA'S ADVOCACY WORK

LIG Partnership. Provided booksellers with regular updates and emails during the Open Enrollment period, offering information on ABA's health insurance partnership with LIG Solutions.

White Paper interviews. Throughout the four-month period, Advocacy conducted interviews with executives in the bookselling and publishing industry, including ABA, AAP, IBPA, IPC, and bookstore owners in an effort to update ABA's 2020 white paper.

Last Ditch Antitrust Effort. In late December, Advocacy wrote to key lawmakers urging them to support and move the American Innovation and Choice Online Act (AICOA, S.2992/H.R.3816), and the Open App Markets Act (OAMA, S.2710/H.R.7030). The letter stressed how the bills would mark a major step forward in restoring competitive markets. They will help unlock the potential of Americans to grow successful businesses and build an economy that is more prosperous, equitable, and innovative. Sen. Schumer did not bring either bill to the floor for consideration. It is hoped that the bill's sponsors will look to re-introduce the bill in the new congressional session.

Credit Card Competition Act. In December, ABA sent an email urging bookseller members to reach out to their members of Congress and ask them to support the Credit Card Competition Act. The bipartisan Credit Card Competition Act of 2022 (S.4674/H.R.8874) was introduced by Sens. Dick Durbin (D-IL) and Roger Marshall (R-KS) in the Senate, and Reps. Peter Welch (D-VT) and Lance Gooden (R-TX) in the House. Under the legislation, a credit card would be required to have more than one network option to route financial data.

Letter to the Hill Urging Support of Antitrust Bills. As part of Small Business Rising, in early November, Advocacy wrote a letter to Congress urging congressional leaders to prioritize an antitrust bill targeting tech giants during the lame-duck session. The letter, sent to leadership in the House and Senate Tuesday and shared exclusively with *The Hill*, asks lawmakers to make the bipartisan American Innovation and Choice Online Act a "top priority" in the session closing out the year. [The Hill](#) reported on the letter.

Direct Outreach to State and Federal Lawmakers. In the last quarter, Advocacy had 16 direct interactions with key lawmakers in regards to bills under consideration. This does not include coalition letters or meetings.

ABA Meets with FTC. In mid-November, ABA met with representatives of the FTC's competition bureau to discuss Amazon's anti-competitive practices. The meeting shed a light on the FTC's current focus, which is Amazon's anticompetitive behavior in the audio book market. ABA also shared concerns about the print and e-book market.

Coalition Building. In November, ABA joined two coalitions: The [Main Street Competition Coalition](#), a business coalition organized to push for reviving and enforcing the Robinson-Patman Act, and the [Merchants Payments Coalition](#), a coalition of retail merchants organized to push for lower card acceptance costs. MPC is focused on passing the Credit Card Competition Act, a bill that would enable merchants to choose between two unaffiliated networks over which to route credit cards. It would create competition for routing thus lower credit card fees. Advocacy attended weekly meetings with both coalitions, beginning in November.

Small Business Rising. Attended regular meeting with Small Business Rising, a coalition of independent organizations working in support of stronger antitrust enforcement in the face of Amazon's anticompetitive behavior.

BTW. Provided weekly updates on Advocacy's work in *Bookselling This Week*.

Advocacy Campaigns. For the four-month period, ABA launched 14 advocacy campaigns (including free expression campaigns). ABA's advocacy outreach to booksellers resulted in 1,808 new contacts, 571 new advocates, and 687 total actions.

FiscalNote. Used FiscalNote Advocacy software on a daily basis to check legislation and reach out to lawmakers.

Communications Team. Advocacy attended weekly meetings with ABA's Communication team.

AMERICAN BOOKSELLERS FOR FREE EXPRESSION (ABFE)

ABFE Fundraising. Beginning in the fall, ABFE designed and sold "I Read Dangerously" temporary tattoos to bookstores. ABFE is also selling "I Read Dangerously" T-shirts. The sales of both are ongoing. Net profits of the sales will go to ABFE. Throughout the four months, ABFE organized the sale of the tattoos, and then met regularly with the vendor to discuss order processing and any fulfillment issues that arose during the time. Thus far, ABFE has sold upwards of 6,000 tattoos.

Resource Page. In November, ABFE launched a [resource page](#) where booksellers can view the many letters that ABFE has signed in opposition to book bans and challenges in school classrooms and libraries. ABFE signed the letters as part of the Kids' Right to Read Project. In October, David Grogan moderated a New Voices New Rooms (NVNR) session to allow booksellers to share with each other their strategies for dealing with uncomfortable and confrontational situations, their de-escalation techniques, and the safety plans they have developed for their staff and customers. New Voices New Rooms is created and hosted jointly by the New Atlantic Booksellers Association (NAIBA) and the Southern Independent Booksellers Alliance (SIBA).

Banned Books Petition. In October, ABFE closed its petition opposing the escalating book bans and challenges continuing across the country. All told, the petition garnered over 1,600 signatures. The petition will be sent to key lawmakers and officials in the New Year.

Banned Books Week Resolution. During Banned Books Week, Rep. Jamie Raskin (D-MD), Chairman of the House Oversight and Reform Committee's Subcommittee on Civil Rights and Civil Liberties, and Sen. Brian Schatz (D-HI) introduced a resolution recognizing Banned Books Week and condemning the "profound attacks" on books and freedom of expression in the United States. In a press release, the lawmakers noted that the resolution comes amid a disturbing rise in book bans, and the resolution acknowledges the central role books play in democratic and civil discourse. Raskin and Schatz urged Congress to "denounce the illegitimate processes being used to ban books in K-12 classrooms, universities, prisons, and libraries." The Banned Books Week Coalition, which includes ABFE, endorsed the resolution.

ACLU Partnership. In the fall, ABFE partnered with ACLU to help amplify its "[Right to Learn](#)" campaign. Since 2021, dozens of states have moved to introduce and pass classroom censorship bills that restrict students and educators from discussing race, gender, and sexual orientation in public schools and universities. The ACLU's Right to Learn campaign looked to empower students, parents and teachers to advocate for inclusive education.

Media Coalition Meetings. Throughout the quarter, David Grogan attended monthly [Media Coalition](#) meetings to discuss current free speech challenges and the ways in which the coalition can fight them.

Banned Books Week Coalition Meetings. Throughout the quarter, David Grogan attended the monthly Banned Books Week Coalition meeting.

Assisting Bookseller's Right to Free Expression. In late September, ABFE responded to a bookseller in Oklahoma who was threatened with legal action for selling T-shirts with a QR code that links to a list of banned books.

Virginia Beach Victory. In early September, the Virginia Beach judge tossed a complaint claiming that two books were obscene. In July, ABFE and four bookseller members signed on

as an amici in support of Barnes & Noble in its case in opposition to a case brought by Thomas Altman, a Republican politician, arguing that *Gender Queer* and *A Court of Mist and Fury* are obscene. The amicus was written and submitted by the Media Coalition, of which ABFE is a member. As part of the Media Coalition, ABFE also worked alongside groups such as the American Library Association, Authors Guild, and the Association of American Publishers, among other groups, to fight the attempted ban in Virginia Beach. Altman may appeal the judge's decision. [ABFE also issued a comment](#) regarding the challenge to the books in late May.

Banned Books Bingo. In September, the Advocacy and Communications team organized Banned Books Bingo, featuring host Drag Queen Nebuer Styles. The virtual bingo game helped to provide a blueprint for booksellers who wanted to hold a Banned Books Bingo game in their store during Banned Books Week. IBPA attended the event and then held their own Banned Books Bingo later that month.