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GOOGLE LIBRARY PROJECT RAISES SERIOUS CONCERNS FOR PUBLISHERS AND AUTHORS

In a press release issued on August 12, AAP continued to express the publishing industry's "grave misgivings" about the Google Print Library Project, specifically the Project's unauthorized copying and distribution of works protected by copyright.

The press statement followed several months of communication between AAP and Google's top management regarding the copyright implications of the Google Print Library Project. Announced last December, the Library Project involves the scanning and digitization of millions of published books from the collections of three major academic libraries— Stanford University, Harvard University and the University of Michigan—from which Google plans to create an online, searchable database. Oxford University and the New York Public Library are also participating in the Library Project, but are only making available works in the public domain.

As significant questions regarding the treatment of copyrighted works remained unanswered, AAP members' concerns about the Library Project continued to intensify throughout the spring. In June, at the direction of the Board, AAP President Pat Schroeder wrote to Google's CEO requesting a top-level meeting and asking for a six-month moratorium on the on the Project so that both sides could work towards

a mutually acceptable approach to the issue of copyrighted books.

At the meeting, held in early July, and in subsequent communications, Google continued to put forward an "opt-out" process that would require publishers to provide Google with lists of copyrighted works which they did not want included in the Library Project. The Board informed Google that the "opt-out" proposal ran counter to every principle of copyright law, pointing out that the scheme "would impose unprecedented burdens on publishers in terms of the time, labor, and expense required to compile the lists." In addition, "even with the dedication of necessary resources, the accuracy of such lists would be subject to challenge based on complications caused by rights reverting to authors, changes in imprints and corporate identities of publishers, disputed interpretations of contracts. and numerous other transactions or events affecting ownership of rights."

Noting that AAP was exploring an alternative approach to address permissions issues for both "orphaned" works (works whose copyright owners cannot be located by third parties seeking permission to use them) and copyrighted titles, the Board advised Google that it would need until September to further develop the proposal. However, on August 11 Google announced it intended to move ahead with the project, but that it would delay until November 1 the scanning of copyrighted works to allow copyright holders to prepare lists of titles they did not want scanned.

"Google's procedure shifts the responsibility for preventing infringement to the copyright owner rather than the user, turning every principle of copyright law on its ear," Mrs.Schroeder said. "Many AAP members have partnered with Google in its Print for Publishers Program, allowing selected titles to be digitized and searchable on a limited basis pursuant to licenses or permission from publishers. We were confident that by working together, Google and publishers could have produced a system that would work for everyone, and regret that Google has decided not to work with us on our alternative proposal."

NEWS FROM WASHINGTON

Patriot Act Fight Enters Final, Critical Phase

For more than two years, AAP and its partners in the Campaign for Reader Privacy, have been working to restore protections for library, bookstore and publisher records that were stripped away by Section 215 of the USA PATRIOT Act, which allows the FBI to seize business records, including library and bookstore records, with virtually no oversight by the federal courts.

After a roller coaster summer, the fight has come down to the final weeks. House and Senate conferees are expected to meet when Congress reconvenes after Labor Day to work out differences between H.R. 3189 passed by the House and S.1389, passed by the Senate. There are important differences between the two bills; the Senate ver-

sion offers significantly stronger protections for reader privacy that are missing from the House bill.

The roller coaster ride began on June 15 with an unexpected victory in the House during the debate over Justice Department appropriations. By a vote of 238 to 187, the House approved an amendment introduced by Rep. Bernie Sanders (I-VT) to cut off funding for FBI searches of bookstores and libraries under Section 215. Almost a year earlier, the Administration fought off a similar amendment when the House Republican leadership held the vote open 20 minutes beyond its allotted time to persuade some members to change their vote. However, not even the threat of a White House veto stopped passage of the amendment on June 15 and although it is not expected to survive the appropriations conference, passage was a morale booster.

Jubilation over passage of the Sanders amendment was short-lived, however, when the House passed H.R. 3199. Extending Section 215 for 10 years, the House version makes changes that are largely semantic rather than substantive, leaving the door open for potential government abuse of reader privacy. When H.R. 3199 came to the floor for a vote, the House Rules Committee refused to allow members to vote on Congressman Sanders' Freedom to Read amendment, an action that AAP President Pat Schroeder called "unconscionable" in light of of what had happened on June 15 on the appropriations bill

On July 29, just before leaving for the summer recess, the Senate unanimously passed its own version of a PATRIOT Act reauthorization bill—S. 1389—which had been approved a week earlier by the Senate Judiciary Committee. While reader privacy and civil liberties advocates did not get everything they had hoped for, the Senate bill contains some important safeguards for protecting library, bookstore and publisher records under Section 215.

Under the Senate bill, the recipient of a Section 215 order has the right to consult an attorney and to challenge the order in the Foreign Intelligence Surveillance (FISA) Court. The FBI also has a tougher standard to meet when seeking a Section 215 order-it must present facts to the FISA court demonstrating a reason to believe that the records pertain to individuals suspected of espionage or terrorism and those who are in contact with them, thus reducing the possibility of a government "fishing expedition." With respect to library and bookstore records, an additional safeguard is in place—the agent would need prior written approval from the Director or Deputy Director of the FBI before seeking such an order. Under the Senate bill, Section 215 would "sunset" in four years—meaning that Congress would get to exercise more meaningful oversight. In addition, the Justice Department would have to report annually on the number of times Section 215 is used in libraries and bookstores.

AAP has asked member publishers to send letters to their Senators and

Representatives urging them to endorse "Dear Colleague" letters now being circulated in the Senate by Senators Richard Durbin (D-IL) and Larry Craig (R-ID) and in the House by Representatives Bernie Sanders (I-VT) and Butch Otter (R-ID). These "Dear Colleague" letters press the conferees to adopt the language contained in the Senate version, S.1389.

Letters also should be sent to the Senate conferees urging them to hold firm for S. 1389. The conferees are Arlen Specter (R-PA), Pat Roberts (R-KS), Jeff Sessions (R-AL), Michael DeWine (R-OH), Jon Kyl (R-AZ), Orrin Hatch (R-UT), Patrick Leahy (D-VT), Edward Kennedy (D-MA), Jay Rockefeller (D-WV) and Carl Levin (D-MI). The House conferees have not yet been appointed.

For additional information: Judith Platt, AAP Washington (jplatt@publishers.org)

HIGHER EDUCATION

AAP Endorses Conclusions, Faults Pricing Analyses in New GAO Report

AAP has endorsed the key conclusions of a report on college textbooks released on August 16 by the Government Accountability Office (GAO) which found that textbooks prices have been largely driven by investments in additional instructional materials and new technologies. However, the Association continues to express concern that the pricing analyses in the study fail to provide a balanced picture.

"The GAO's report clearly reflected continuing efforts by publishers to develop materials that meet evolving needs of faculty and students, noting changes in both the nature of higher education publishing and the role that publishers play in post-secondary education," said AAP President and CEO Pat Schroeder. "Our key concern with the report is that it relies on data that do not reflect the true cost of textbooks to students. For example, the report creates an inaccurate picture by constantly citing the cost of textbooks and supplies, without once mentioning what the average student spends annually on textbooks—\$600. By combining textbooks and supplies, GAO creates an inaccurate picture of the actual cost of textbooks to students. 'Supplies' are not limited to pencils and notebooks; they may include computers, calculators, lab equipment, and other materials that represent at least 27 percent of total student spending on books and supplies. My members do not develop nor produce supplies," Mrs. Schroeder added.

GAO also chose to dismiss reliable survey data from Student Monitor showing that average student spending on textbooks increased only about two percent annually between 1999 and 2004. They did not factor in the money students receive when they sell their used textbooks. And, when computing the overall cost of textbooks, the GAO did not factor in the increasing use of lower-cost alternatives - a trend that the Bureau of Labor Statistics admittedly did not track before 2001 and one that still may not be accurately reflected in its data," Mrs. Schroeder said. AAP questioned whether the GAO had fulfilled its mandate

from Congress. As noted in the report, "Congress is interested in the overall cost of attendance, including the cost of textbooks." However, the GAO failed to speak directly to either of these issues. The GAO report addresses only tuition and fees. excluding other standard overall attendance cost factors, such as room and board, transportation and discretionary spending that are used by the College Board and other authoritative sources to determine the total cost of attendance. In addition, by its own acknowledgement, the GAO report employs BLS data that "measure annual price changes," not student spending.

AAP's press release on the GAO report can be found on the web site at www.publishers.org. For additional information: Stacy Scarazzo, AAP Washington (sscarazzo@publishers.org).

Study Habits, Use of Textbooks Key Factors in Student Success

To give publishers and educators a better understanding of students' study habits and assess what impact they have on academic achievement, AAP recently commissioned a study of four-year and two-year college students. "We wanted to find out what else publishers can do to make products that better meet the needs of students," according to Bruce Hildebrand, AAP's executive director for higher education.

The study found that America's female college students study more, are more likely to read their textbooks thoroughly and to earn "A"s in their courses, and expect to graduate in less time than their

male counterparts. Male students study one-third less than women, party more often, are more likely to earn a "C" or less in their courses, and expect to take longer to graduate, according to the study of 1,800 college students carried out by Student Monitor, an independent market research firm specializing in higher education issues.

Eric Weil, managing partner of Student Monitor, noted that "we've generally taken it for granted that hitting the books translates into better grades and a more successful college experience. This research quantifies the difference between students with a set of solid study habits, and those without, confirming the fact that hard work matters."

The survey revealed significant differences in study habits between men and women. For example, women are 35 percent more likely to study daily, 21 percent more likely to study fifteen or more hours a week, and 23 percent more likely to read their textbooks thoroughly. "These differences in study skills and habits translate to higher grades and a higher course completion rate," Weil added.

Time on task, study efficiency, and the use of supplemental materials are other important factors, particularly for community college students. Students who attend two-year schools (and are more likely to work full-time) were found to be 36 percent more likely to use supplemental materials and 23 percent more likely to study efficiently.

Currently, only one-half of all public four-year college and university stu-

dents are graduating in four years or less.

"The others are increasing their debt and putting a strain on campus resources. As a result, colleges and universities are under growing pressure to improve student engagement and to help students graduate more quickly. Publishers, in turn, are being called upon to produce more sophisticated tools for teaching and learning," Hildebrand added.

For additional information: Stacy Scarrazo, AAP Washington (sscarazzo@publishers.org).

COPYRIGHT

AAP Urges Pre-Registration Copyright Protection for Literary Works

To address the problem of digital piracy of movies, recordings, and computer programs, illegal copies of which often make their way onto the Internet before they have been released for commercial distribution, Congress enacted legislation earlier this year entitled the Artists' Rights and Theft Prevention (ART) Act of 2005.

Among other things, the Act established criminal penalties for "the distribution of a computer program, musical work, motion picture or other audiovisual work, or sound recording being prepared for commercial distribution by making it available on a computer network accessible to members of the public." The U.S. Copyright Office is directed to "establish procedures for preregistration of a work that is being prepared for commercial distribution and has not been published."

As enacted, the focus of the law is on classes of works with a "history of infringement," meaning those types of works, such as movies and music, with numerous instances of pre-release infringement. However, in promulgating rules governing pre-registration, the Register of Copyrights has some latitude in deciding whether other classes of works should qualify for preregistration.

Responding to the Copyright Office's Notice of Proposed Rulemaking published in the *Federal Register* on July 22, AAP submitted comments on August 22 urging the inclusion of literary works as a class eligible for preregistration.

Asserting that "...rules that establish procedures to make copyrighted works eligible for the optimal application of civil and criminal remedies for infringement generally should not give preferential treatment to certain classes of works," the AAP filing goes on to cite a number of literary works infringed prior to commercial distribution. Among the examples cited are Harry Potter and the Half-Blood Prince, unauthorized copies of which managed to leak out in spite of "the most extraordinary prepublication security measures ever taken." AAP strongly urged the Register of Copyrights to exercise the discretion granted by Congress to determine that "literary works that are being prepared for commercial distribution," or, at minimum "books, periodicals, and manuscripts that are being prepared for comerical distribution," constitute a class of works eligible for preregistration.

For additional information and a complete copy of the AAP filing: Allan Adler, AAP Washington (adler@publishers.org)

FREEDOM TO READ

AAP Joins Amicus Brief in Challenge to National Security Letters

AAP has joined with the Freedom to Read Foundation, ALA, ABFFE, PEN American Center and others in an amicus brief to the 2nd Circuit Court of Appeals supporting a challenge to Section 2709 of the Electronic Communications Privacy Act as amended by the USA PATRIOT Act. The provision gives the government virtually unlimited power to obtain electronic communication records and subscriber lists through the issuance of National Security Letters—administrative subpoenas issued without judicial oversight. The legal challenge, Gonzales v. Doe, was brought by the ACLU on behalf of an Internet service provider who could not be named because of the gag order prohibiting anyone from disclosing that they have been served with an NSL. The statute was expanded by the PATRIOT Act to eliminate the need to demonstrate individualized suspicion. Because the statute permits issuance of NSLs to any "wire or electronic communication service provider" to discover subscriber information and communication transactional records, it would appear to cover electronic customer/patron records maintained by libraries, book stores, and even publishers that host websites.

In September 2004 Judge Victor Marrero of the U.S. District Court for the Southern District of New York ruled that the law violates the Fourth Amendment's ban on unreasonable searches and seizures, and that the gag order constitutes a prior restraint on speech in violation of the First Amendment. The government has appealed to the 2nd Circuit.

AAP Supports U.S. Author in Fighting Foreign Libel Judgement

AAP has joined an impressive group of media organizations, including the American Society of Newspaper Editors, Amazon.com, the Authors Guild, and the Reporters Committee for Freedom of the Press, in filing an amicus brief supporting author Rachel Ehrenfeld in a lawsuit asking a federal court in New York to declare that a British court's default libel judgment against her is unenforceable. The British judgment, in a suit brought by Saudi businessman Khalid Bin Mahfouz, involves substantial damages, an injunction against U.K. publication of Ehrenfeld's book Funding Evil, and a "declaration of falsity" against the book.

The default judgment was entered after Ehrenfeld chose not to participate in the British proceedings. Bin Mahfouz has asked the New York court to dismiss Ehrenfeld's suit, claiming that there is no ongoing controversy since he does not intend to take action to enforce the British judgment in the U.S., that any damage to Ehrenfeld's reputation has already been done and that it represents no interference with her First Amendment rights on an ongoing basis. However, although Ehrenfeld did not participate in the British proceedings and never presented evidence in defense of her book,

the written opinion of the English court (which apparently took umbrage at her attack on its proceedings) is an indictment of her and a one-sided refutation of the points in her book.

Citing the "growing and dangerous threat of 'libel tourism'—the cynical and aggressive use of claimantfriendly libel laws in foreign jurisdictions with no legitimate connection to the challenged publication," the amicus brief argues that "when a wealthy litigant successfully cherrypicks a strategically chosen foreign forum with plaintiff-friendly libel laws to cleanse his reputation by attacking the credibility of an American investigative author and her work, the damage to that author is direct and immediate.... The need for remedies in U.S. courts against such judgments is particularly urgent today, when our national security depends in part on the efforts, courage and credibility of journalists investigating the causes, participants and funding of international terrorism."

SCHOOL DIVISION

Summit on High School Achievement Set for October 11

The AAP School Division will hold another of its highly successful "summit" meetings in Washington, DC. Scheduled for October 11 at the Renaissance Washington, this year's summit will focus on High School Achievement, and bring together leading experts on the challenges facing American high schools and high school students.

Featured luncheon speaker will be Henry Johnson, Assistant Secretary for Elementary and Secondary Education at the U.S. Department of Education; other speakers include Dr. Peggy McCardle of the National Institute for Child Health and Human Development, Dr. Kate Kinsella, ELL Expert at San Francisco State, Dr. Belle Wheelan, Secretary of Education for Virginia, and Dr. Yvette Jackson, California Urban Alliance. Sessions will include an Overview of High School Achievement, Raising the Bar for All Students, and the Role of Technology.

Information and registration forms can be found at: http://www.publishers.org/school/conferences.cfm

AAP Alerts School Districts to 13-Digit ISBN Changeover

The AAP School Division, in cooperation with the Book Industry Study Group, is contacting school districts throughout the country to alert them to the fact that the International Standard Book Number (ISBN) will change from 10 digits to 13 digits on January 1, 2007. In a massive mailing that went to more than 7,000 school districts, the School Division outlined the reasons behind the changeover, its implications, and publishers' efforts to facilitate the transition.

Information about the transition to a 13-digit ISBN can be found at www.publishers.org/ISBN-13.

TRADE PUBLISHING

AAP Recommends Books to Celebrate Hispanic Heritage Month

To help mark the observance of Hispanic Heritage Month, which runs from September 15 until October 15, AAP's Publishing Latino Voices

for America Task Force has released a list of recommended books that can be used by teachers, librarians, booksellers and others to celebrate Hispanic culture. The list features a wide variety of titles in both English and Spanish.

The Recommended Reading List, with books for adults and for children, features titles by Latino authors and those that address issues of Latino identity and culture. It can be viewed online at http://www.getcaughtreading.org/ pressreleases/ajaleyendo.htm.

"As avid readers and book lovers, we can think of no better way to mark the observance of Hispanic Heritage Month than by reading a wonderful book on the topic," said AAP President & CEO Pat Schroeder.

"The list will help community leaders and educators identify books of excellence that are of special interest at this time of year."

PROFESSIONAL & SCHOLARLY DIVISION

PSP Seeking Entries for Awards

AAP's Professional and Scholarly Publishing Division is now accepting entries for the 2005 Awards for Excellence in Professional and Scholarly Publishing. At the 2006 PSP Annual Conference, the Division will recognize excellence and innovation in professional, scholarly, reference, book, journal and electronic publishing with awards in more than 35 categories, including the coveted R.R. Hawkins Award for the outstanding publication of the year. The deadline for entries is Friday, November 4, 2005

(with a deadline of Friday, December 2, 2005 for entries published in November). Winners will be presented with awards at the Awards Ceremony luncheon on Tuesday, February 7, 2006, in Washington, D.C.

Details on judging criteria, eligibility rules, and the entry form can be found online at www.pspcentral.org. This competition is open only to members of the PSP Division of AAP. If you have any questions or would like to request a Call for Entries booklet, please call the PSP Division at (212) 255-0200, ext. 226.

SMALLER AND INDEPENDENT PUBLISHERS GROUP

Nominees Sought for Miriam Bass Award

AAP is calling for nominations for the third annual Miriam Bass Award for Creativity in Independent Publishing. The deadline for submissions is Wednesday, November 30, 2005. The Award will be presented at the AAP Annual Meeting for Smaller and Independent Publishers, which will be held in New York on March 15, 2006.

The award is designed to recognize the most creative people in independent publishing. All individuals in the book community are invited to submit nominations. Nominees may be engaged in any area of book publishing as long as their publishing house is independent. Award Committee judges are looking for an individual who has demonstrated extraordinary creativity over the past year in any publishing role, including editorial, marketing, sales,

finance, or production.

In 2005, Johnny Temple, Publisher of Akashic Books, received the award in recognition of his extraordinary success in publishing and marketing Hairstyles of the Damned by Joe Meno, which was chosen by Barnes & Noble for its "Discover Great New Writers" program. Temple called the award "a wonderful affirmation," saying that "in an industry dominated by large companies it is heartening that the AAP, Rowman & Littlefield, and NBN are so active in their support of the efforts of independent publishers."

The award, which is given annually, was created in 2004 in memory of Miriam Bass, to honor her many contributions to the independent book publishing community. It is co-sponsored by AAP, Rowman & Littlefield Publishing Group, and National Book Network (NBN), and carries a \$5,000 cash prize (which is fully funded by Rowman & Littlefield and NBN). A committee representing a cross section of the industry will select the winner.

NOTEWORTHY

AAP Compensation Survey Available

AAP has released its 2005 Survey Report on Compensation and Book Publishing Practices. The survey, which has been conducted for more than 20 years, is one of the longest-running and most comprehensive compensation and personnel policies survey in the market-place. Viewed as the primary source of data for human resources research in the book publishing industry, the study provides detailed

information on 135 positions. Forty-two publishing houses ranging from large media organizations to mid-size presses to small imprints provided data for the study. The study is conducted for AAP by Total Compensation Solutions (TCS).

Publishing houses that participated in the survey can purchase the report at a special discounted price. Copies of the survey are also available to non-participants and can be obtained directly from TCS (pgavejian@total-comp.com).

Nominations Sought for Curtis Benjamin Award

AAP is now accepting nominations for the Curtis Benjamin Award. Presented annually, the award recognizes an outstanding member of the U.S. book publishing industry who has shown exceptional innovation and creativity as evidenced in his/her career. Originality, usefulness and difficulty of achievement of a project or body of work are among the criteria that will be used to select the winner.

Nominations are invited from all members of the book community. The nominee must be a living individual in the U.S. publishing industry. All nominations must be made on the official form and should be accompanied by letters supporting the nomination and other materials that will assist the committee in making its choice.

The nominees may come from any area of publishing including editorial, marketing, book design, etc. The deadline for nomina-

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tions is Tuesday, November 1, 2005. AAP will announce the winner in December and the award will be presented during the AAP 2006 General Annual Meeting to be held in New York on March 14.

CALENDAR

September 12th, Monday

Copyright Committee, 11:00 a.m. -3:00 p.m., Rooms 1 and 2 (ALLAN ADLER)

September 13th, Tuesday

DRRC, 12:30 p.m. – 2:00 p.m., Room 1 (KATIE BLOUGH)

September 14th, Wednesday

Freedom to Read, 12:00 p.m. – 4:00 p.m., Rooms 1 and 2 (DEIDRE HUNTINGTON)

September 15th, Thursday

PLVA, 10:00 a.m. – 11:30 a.m., Room 1 (TRACY KAUFMAN)

September $14^{th} - 17^{th}$, Wednesday – Saturday

PSP Journals Boot Camp in Chicago (SARA BRANDWEIN)

September 20th, Tuesday

AAP Board of Directors, 12:15 p.m. – 2:30 p.m., Rooms 1 and 2 (KATIE BLOUGH) YPG Brown Bag Lunch @ Random House, 12:30 p.m. – 1:30 p.m. (TRACY KAUFMAN)

September 21st, Wednesday

PSP Executive Council Meeting, 12:00 p.m. - 3:00 p.m., Rooms 1 and 2 (SARA BRANDWEIN)

September 22nd, Thursday

PSP/EIC Meeting, 12:30 p.m. – 2:30 p.m., Rooms 1 and 2 (SARA BRANDWEIN) RPAC, 10:00 a.m. – 12:00 p.m. (site tba) (SARAH WILLIAMS)

September 23rd, Friday

PPTF, 12:30 p.m. – 2:00 p.m., Room 1 (TRACY KAUFMAN)

September 26th, Monday

PSP Journals Committee, 12:30 p.m. – 2:00 p.m., Rooms 1 and 2 (SARA BRANDWEIN)

September 27th, Tuesday

IFTP, 12:00 p.m., Room 1 (MARLENE SCHEUERMANN)

September 28th, Wednesday

Trade Committee, 12:30 p.m. – 2:30 p.m., Rooms 1 and 2 (KATIE BLOUGH)

September 29th, Thursday

ICPC, 12:00 p.m. – 2:30 p.m., Rooms 1 and 2 (TRICIA JUDD)

OCTOBER 2005

October 4th, 5th and 6th, Tuesday, Wednesday and Thursday

PIAC (tentative), 9:00 a.m. – 5:00 p.m., Rooms 1 and 2 (KATIE BLOUGH)

October 7th, Friday

International Sales, 3:00 p.m. – 5:00 p.m. (SARAH WILLIAMS)

October 10th, Monday

Columbus Day – Offices are Closed School Division Executive Committee - held in conjunction with AAP School Division's Education Summit on High School Achievement on October 11th @ the Renaissance Washington Hotel in DC (STEPHEN DRIESLER)

October 11th, Tuesday

Copyright Committee, 11:00 a.m. – 3:00 p.m., Rooms 1 and 2 (ALLAN ADLER)

October 12th, Wednesday

Trade Libraries, 10:00 a.m. – 12:00 p.m., Room 1 (TRACY KAUFMAN)

October 18th, Tuesday

PIAC (tentative) 9:00 a.m. - 5:00 p.m., Rooms 1 and 2 (KATIE BLOUGH)

October 19th, Wednesday

Freedom to Read, 12:00 p.m. – 4:00 p.m., Rooms 1 and 2 (DEIDRE HUNTING-TON)

October 19th – 23rd, Wednesday – Sunday Frankfurt Book Fair – for info: www.frankfurt-book-fair.com (BARBARA MEREDITH)

October 20th - 25st, Thursday thru Tuesday

Introduction to Publishing (tentative) Rooms 1 and 2 (TRACY KAUFMAN)

October 26th, Wednesday

PSP/EIC Meeting, 12:30 p.m. – 2:30 p.m., Rooms 1 and 2 (SARA BRANDWEIN)