Senate Bill 2360

I am speaking as an individual citizen. My job is Head of Collection Strategies at the Chester Fritz Library at the University of North Dakota. I have a number of concerns with this bill and wanted to highlight two in particular:

1. **Most database vendors do not offer the type of filtering described in this bill.** I work with over 70 vendors to help obtain access to resources used by UND students, faculty, and staff as part of the education and research mission of the university. Only the largest vendors, such as EBSCO, are working on a filter similar to the one described in this bill. One example of many other databases that do not have the capability to provide such filtering is IHS Markit, the only vendor that provides subscription access to the ICAO annexes and publications, which includes aviation safety standards and was specifically called out in the recent reaccreditation of UND's aviation program. Not only do they not offer such filtering capability, they primarily serve industry and would have no incentive to employ the resources to develop such a filter. Thus if this bill were to pass, we would have to either not subscribe to important databases supporting the educational mission of the university, or restrict K-12 students taking classes at the university from logging into the databases. Since our login system is configured at the NDUS level, we would not have the ability to allow K-12 students to login to some databases, so we would have to restrict them from being able to login to any UND subscriptions (which would also require a lot of extra time and effort on the part of staff).

2. **Filters are imperfect tools.** Filters generally work by a computer programmer creating a set of rules of when to filter content that meets certain criteria, which often looks for specific words or phrases. Thus, if a filter focuses on a word such as "sex," it would exclude resources using the phrase "the fairer sex" as one example. Specifically, when EBSCO was testing the filter its developing, a UND student and faculty member ran into issues accessing the following articles:
   a. Chester, D.S., DeWall, C.N. (2017) Combating the string of rejection with the pleasure of revenge: A new look at how emotion shapes aggression. *Journal of Personality and Social Psychology.* 112(3): 413-430. https://doi.org/10.1037/pspi0000080.
   b. Butler, J. (2008) Sexual politics, torture, and secular time. *The British Journal of Sociology*. 59(1): 1-23.

   The first article has to do with aggression and the second with politics. Yet both were filtered by a test of EBSCO's tool they are developing in response to bills such as this one. As you can see from these examples, such tools frequently filter out resources unrelated to the intent of the filter. Databases already filter content by selecting the publications they make resources available from and thus are a much safer tool for students than the internet when researching a topic.