



requesting instead that the regulations “make clear that an entity’s status as a library or archive for the purposes of opting out under CCB does not constitute a determination of that entity’s status, and may not be cited as such, in any other context, including in any federal court litigation in which that

## **II. Scope of the Preemptive Opt-Out.**

Both AIPLA and CA argue that a library's blanket opt-out should not apply to library employees acting within the scope of their employment. AIPLA argues that "deciding whether to extend a blanket opt out to employees would require the CCB to determine whether employees were acting with the scope of their employment." AIPLA Comments at 5. Doing so "would undermine the adversarial process and increase the burden on the CCB." . Similarly,

