

**Washington Brief**  
**by Mary Alice Baish**

**Don't Miss AALL's Annual Legislative Advocacy Leadership Training in Portland**

The Government Relations Committee and Washington Office invite you to our annual half-day advocacy workshop which will be held this year on Saturday, July 12, from 8:30 am to noon. The workshop will teach you important new skills so that you can join our active advocacy team and become an effective communicator with federal, state and local policy makers. If you've always wanted to support AALL's policy agency but wondered how to get up to speed, this is the perfect opportunity! Best of all, no specific background knowledge or experience is required. Attendance is available on a first-come, first-served basis and there is no cost for AALL members.

Throughout the year, we often call upon our members to weigh in on specific issues with members of Congress—such as getting needed co-sponsors for a particular bill—so it's important that we get participants from every state. We'll empower you with practical tips and the tools you'll need to communicate with your elected representatives on a variety of important policy issues. By participating in our Portland training, we hope you will become *energized* about our issues, prepared to *explore* different ways to advocate, and *evolve* into effective advocates!

Participants this year will be able to select a breakout session on one of three issues—AALL's leadership role regarding the authentication of digital legal information, funding for county law libraries or access to government information. We need your help more than ever before and hope to see you in Portland. Please register by June 1 by contacting Emily Feldman, AALL's new Advocacy Communications Assistant, at [ejf33@law.georgetown.edu](mailto:ejf33@law.georgetown.edu).

**Year-end Legislative Victories for Open Government**

The AALL Washington Office and other open government groups are celebrating several important end-of-year victories as we look forward to an equally productive year in 2008.

A major victory at the end of 2007 was that the "OPEN Government Act" which amends FOIA became law on the last day of the year. The "Openness Promotes Effectiveness in our National Government Act of 2007" strengthens the Freedom of Information Act (FOIA) by clarifying the response time to requests and establishing reliable methods for checking the status of pending requests. Specifically, the legislation clarifies that the 20-day time limit for agencies to respond to FOIA requests would begin on the day that the agency originally receives the request. It also requires each agency to establish a telephone line or Internet service as a method to allow for a request status check. A coalition of open government advocates, including AALL, worked with Congress for many years to pass a FOIA reform bill and this was a sweet New Year's Eve victory.

Also in December, President Bush signed an omnibus appropriations bill, the “Consolidated Appropriations Act of 2007,” that includes a \$3 million order to the U.S. Environmental Protection Agency (EPA) to restore its library services across the country. The money will help restore the network of regional libraries which was weakened by the closure of several EPA libraries in 2006. The closures, which AALL strongly opposed, occurred without any public announcement or congressional approval. EPA also failed to develop substantive plans on how the agency would digitize the resources of the closed libraries. AALL had joined other library and environmental groups in opposing these closures and we are pleased with the support of the key members of Congress who restored the necessary funding.

There is more good news because the same omnibus bill also includes a provision directing the National Institutes of Health (NIH) to provide the public with free online access to articles published as a result of NIH-funded research. The new law requires every scientist who publishes the results of research funded by an NIH grant in a peer-reviewed journal to deposit a digital copy of the article in PubMed Central (PMC), the online digital library maintained by the NIH, within 12 months. The public will be able to access these articles through PubMed Central at no cost. This provision was needed because, while NIH had previously made the digital deposit of these articles voluntary, very few grant recipients had complied. AALL has been a strong supporter of this measure and celebrates this important victory. This is the first time the federal government has mandated free public access to research funded by a major agency, and you can be sure that we’ll continue working with coalition partners to make this new law a model for other federal agencies.

### **Looking Ahead to 2008**

The Washington Office is monitoring the “Presidential Records Act Amendments of 2007” (H.R. 1255; S. 886), a bill that restores standards for the timely release of presidential records and nullifies Executive Order 13233 which President Bush issued in 2001. The bill would reverse the Bush E.O. by establishing a deadline for the review of records, limiting the authority of former presidents to withhold records, requiring the president to make privilege claims personally, and eliminating the ability for Vice Presidents to assert executive privilege claims over vice presidential records. Despite several efforts to bring S. 886 to the floor, the bill has been stalled by Republican holds and remains stuck in the Senate. We’ve issued an action alert, available on the Washington Office section of AALLNET, and urge you to send your senators a short note via email asking them to co-sponsor this important bill. Thank you!

We also expect the “E-Government Act Reauthorization” (S. 2321) to move during this next session and we are pleased with Sen. Lieberman’s efforts to update the Act. In addition to reauthorizing the “E-Government Act of 2002,” the bill includes a section to make government information and services more accessible to external commercial and governmental search engines. According to Sen. Lieberman, there are over 2,000 government websites that are currently not crawlable by search engines, meaning that this online government information cannot be found using a commercial search engine or

even USA.gov, the government's official web portal. Taking advantage of the introduction of this legislation, the Washington Office has initiated discussions with Sen. Lieberman's staff to educate his office on the problems the legal community faces when federal agencies eliminate the print version of their legal publications. Several agencies are in fact citing the "E-Government Act of 2002" as their mandate to eliminate print in favor of online only. This was clearly never the intention of the Act and we hope to work with Sen. Lieberman's staff toward finding a solution.

Last but not least, with the very welcome arrival of Emily Feldman to the Washington Office, we are publishing the Washington Office E-Bulletin on a monthly basis to keep you updated on our recent activities. Emily is also working hard to enhance our advocacy program and we encourage you to stay in the loop by joining our Advocacy Listserve! Just go to <http://www.aallnet.org/aallwash/aalladvocsubscribe.html> to subscribe. Thanks!

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