



American Association of Law Libraries
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UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE

Volunteers Still Needed for AALL's State Working Groups

We're pleased to report that, thanks to *you*, we've had an impressive response this month to our call for working group volunteers to promote access to electronic legal information in every state. In total, we've heard from more than 140 [volunteers](#) in 44 states and D.C., but we're still looking for more help. In addition to staying alert to any effort to eliminate an official print legal resource in favor of online-only in your state, we really need an *army of volunteers* to collaborate on an effort led by Erika Wayne at Stanford University's Robert Crown Law Library and Carl Malamud of [Public.Resource.Org](#) to develop a national inventory of all primary legal resources at every level of government. Please contact [Emily Feldman](#) if you'd like to volunteer for your state's working group.

Join Us in Denver for Our Advocacy Training on AALL's State Priorities

The state working groups are an important project for AALL, and this year's half-day Advocacy Training, "[Raising the Bar in Your State](#)," on July 10 from 8:30 a.m.-12 p.m., will provide the perfect opportunity for working group volunteers who are attending the Annual Meeting and other AALL and chapter members to come together. Participants will discuss the challenges and successes their state working group faces, and brainstorm new approaches to demonstrate to state officials how vital public law libraries are to their communities. This is especially important because, as we've seen with the recent [threat to Connecticut's courthouse libraries](#), officials may well try to reduce funds for public law libraries in response to state budget cuts.

The Advocacy Training is available at no cost to AALL and chapter members, and we hope to have many working group volunteers and state, court and county librarians participate. Please register by contacting [Emily Feldman](#) by June 1.

New Issue Brief Analyzes Agency Progress on Open Government Directive

The Government Relations Office posted a new [Issue Brief](#) this month on the Office of Management and Budget's [Open Government Directive](#) (OGD). It analyzes agencies' progress in meeting the goals outlined in the Directive and identifies key areas for improvement. The OGD is a priority for the Administration and a fast-moving target, so the Issue Brief will be frequently updated as agencies reach each of the OGD's key milestones.

Last month, agencies were required by the OGD to submit three new “high-value” datasets to [Data.gov](#), the Federal government’s raw data portal. In response, we issued a short survey to AALL members to find out which of the new datasets are most valuable to law librarians, and what datasets our members would like to see added. The survey’s low response rate and individual survey responses confirmed our suspicions that the raw data from Federal agencies is not being widely used by our members. Even so, because the development of a robust raw data portal is one of the Administration’s top priorities, the Government Relations Office is working with the Government Relations Committee to develop a list of datasets that should be added to Data.gov. We will submit this list to the White House to ensure that the needs of legal researchers are considered in the future development of the data portal.

The second OGD deadline, which passed on February 6, required that each agency covered by the Directive create an Open Government Web page at [http://www.\[agency\].gov/open](http://www.[agency].gov/open), where it will [invite public input](#) on the development of its forthcoming Open Government Plan. Each agency is required to publish an Open Government Plan by April 7 that will describe how the agency will improve transparency and integrate public participation and collaboration into its activities. The Open Government Plan is the cornerstone of the Directive and will be updated every two years.

In addition, Chief Information Officer Vivek Kundra and Chief Technology Officer Aneesh Chopra were required by this deadline to launch the [Open Government Dashboard](#), which tracks agencies’ progress in meeting the OGD’s specific deadlines. AALL and other open government groups are working closely with Administration officials to develop metrics to measure how well agencies are meeting their goals.

On February 18, AALL signed on to an [email](#) to Todd Park, Chief Technology Officer at the Department of Health and Human Services, which outlined several suggestions for information that every agency should, at a minimum, make available on its Web site. Our suggestions included an audit of information maintained, created by or for, or sponsored by the agency, and a comprehensive, well-maintained, and searchable archive of documents, including those that have been removed from the Web site. Attached to the email were specific suggestions of [minimum criteria](#) with which to judge agencies’ progress, including an expectation that every agency should post their FOIA processing statistics on their Open Government Web pages.

Government Relations Office Director Testifies on GPO’s FY 2011 Budget Request

On February 24, Mary Alice Baish [testified](#) at the Member and Public Witness hearing held by the House Committee on Appropriations’ [Subcommittee on the Legislative Branch](#) to support the Government Printing Office’s (GPO) Fiscal Year 2011 budget request. In a reversal from previous years, this hearing occurred before the Legislative Branch agencies themselves testified so that, as [Chairwoman Debbie Wasserman Schultz](#) (D-FL-20) explained, the Subcommittee could incorporate the concerns of the witnesses into the Legislative Appropriations bill. In her oral testimony, Mary Alice urged the Subcommittee to fund fully the Congressional Printing and Binding request so that

federal depository libraries can continue to have the option of receiving Congressional materials in print. She also urged members to fund FDsys at the requested \$8 million so that GPO can complete the migration of GPO Access titles into the new system. She specifically noted the importance of migrating the entire electronic *Code of Federal Regulations* (e-CFR) as soon as possible into FDsys.

Mary Alice also expressed the need to encourage GPO and the Library of Congress to enter into a formal Memorandum of Understanding to partner on the digitization of historic legal resources. The Law Library of Congress has already digitized the *U.S. Statutes at Large* and other titles. If GPO created the necessary metadata, it would ensure that the files could be made available through both FDsys and THOMAS, making this partnership a very good deal for the American taxpayer. Lastly, Mary Alice addressed the need for GPO to capture content from agency Web sites to be ingested into FDsys as part of their mission to provide access to current government information.

Also testifying at the hearing were [Representative Rush Holt](#) (D-NJ-12) and Dr. Francesca Grifo, Senior Scientist and Director of the Scientific Integrity Program at the Union of Concerned Scientists. They spoke in support of refunding the Office of Technology Assessment (OTA) which, during its 23 years of operation, produced many reports that informed members of Congress on a wide variety of public policy issues in the areas of science and technology. AALL opposed the defunding of this important legislative agency back in 1995, and we signed on to the [letter](#) that accompanied Dr. Grifo's testimony. During the hearing, Chairwoman Wasserman Schultz expressed interest in investigating ways to fund OTA next year, noting the need to review its current authorization to determine if any changes are needed.

Congress Adopts One-Year Extension of Expiring PATRIOT Act Provisions

Unable to reach agreement on a new reauthorization bill, in December Congress adopted a 60-day extension of the three expiring provisions of the *USA PATRIOT Act*, including Section 215 (the "library provision"). However, without enough time before the end of this month to reach a compromise on different bills passed by the House and Senate, Congress has just agreed to an additional one-year extension of the expiring provisions.

The deferral of the PATRIOT Act reauthorization is disappointing news in light of a new FBI Office of the Inspector General (OIG) [report](#) in which the OIG found widespread abuse of "exigent letters" to obtain telephone records. Exigent letters are used to demand records by citing an "emergency situation," getting around the use of a formal National Security Letter (NSL).

While the NSL provision of the PATRIOT Act was not set to expire, AALL supported the House version of the PATRIOT Act reauthorization bill, *USA PATRIOT Amendments Act of 2009* ([H.R. 3845](#)), that would have raised the standard for Section 215 orders and tightened the standards for issuing NSLs. AALL's NSL [Issue Brief](#) has been updated to reflect the new findings of the OIG report and the current status of the PATRIOT Act reauthorization.

New Speakers Added to Sunshine Week National Webcast

Since we announced the “Save the Date” for Sunshine Week last month, several impressive speakers have been added to the three panels of the [national Sunshine Week program](#), hosted for the fifth year in a row by OpenTheGovernment.org and AALL. The panels are scheduled as follows:

- The first panel will focus on the Administration’s efforts to change the culture of secrecy in the Executive Branch. Speakers will include Norm Eisen, Special Counsel to the President for Ethics and Government Reform, and J.H. (Jim) Snider, President of [iSolon.org](#).
- The second panel will examine the public’s right to access government information and recent reforms to the Freedom of Information Act (FOIA). Speakers will include Miriam Nisbet, Director of the new Office of Government Information Services, and Anne Weismann, Chief Counsel for Citizens for Responsibility and Ethics in Washington (CREW).
- The third panel will include a discussion of third-party projects that use government information in innovative ways. Speakers will include Robert Rosenthal, Executive Director of the [Center for Investigative Reporting](#), and Eric Gundersen, President and co-founder of [Development Seed](#), a communications consulting firm that builds new online tools for clients.

This is going to be a great event and we encourage chapters and law libraries around the country to tune in to the Webcast, which will be available on [OpenTheGovernment.org’s Web site](#).

OUTSIDE THE BELTWAY: CHAPTER NEWS

Update on Progress to Save Connecticut’s Courthouse Libraries

On February 9, SNELLA President Nancy Marcove and retired courthouse law librarian Jonathan Stock appeared before the Connecticut Appropriations Committee to speak in opposition to the proposed closure of six of Connecticut’s courthouse libraries. They emphasized the importance of the courthouse libraries to their local communities, and responded to some excellent questions that demonstrated concern by several legislators about the closures. AALL and SNELLA’s online petitions to oppose the library closures in Bridgeport, Hartford, Litchfield, Milford and Norwich gathered approximately 1140 signatures in a little over a month. Nancy delivered the petitions to the Committee and we were pleased with the strong show of support by Connecticut residents.

Today, [Jonathan Stock](#) and [Camilla Tubbs](#), Chair of the AALL Government Relations Committee and Reference Librarian and Lecturer in Legal Research at Yale Law School’s Lillian Goldman Library, presented testimony on behalf of SNELLA and AALL before the Judiciary Committee in support of a new bill that could restore funding to the

Judicial Branch and help save Connecticut's courthouse libraries.

An Act Concerning Funding for the Judicial Branch ([House Bill 5148](#)) would revise the state's law that currently requires the Judicial Branch's budget to be presented to the Executive Branch, rather than the Legislature. The bill would also exempt the Judicial Branch from having to reduce its "other expenses" account to the fiscal year 2007 level. If the bill passes, it would help ensure adequate funding for the Judicial Branch and Connecticut's courthouse libraries. The Connecticut Bar Association and local bar associations have been very supportive of the fight to keep the libraries open. A representative from the CBA and many local bar association leaders also testified in support of the bill.

Saving Connecticut's courthouse libraries is a high priority for AALL, since two of the courthouse libraries are slated for closure by April 1. We thank all of you for supporting the petitions, and we'll keep you updated on the progress to keep these libraries open.

NOCALL and Lyon County Law Library Plan Exciting Local Sunshine Week Events

We are pleased to announce that NOCALL and Lyon County Law Library in Emporia, Kansas are hosting several exciting events in conjunction with the national [Sunshine Week Webcast](#) in March.

On March 24, NOCALL is co-sponsoring a local [Sunshine Week program](#) at the Pacific McGeorge School of Law in Sacramento with the California Library Association, the California Association of Library Trustees and Commissioners, and the Special Libraries Association/Sierra-Nevada Region. After viewing the archived national program, NOCALL will host a panel discussion with several distinguished speakers, including: Charity Kenyon, a member of the American Academy of Appellate Lawyers and 2008-09 President of the California Academy of Appellate Lawyer; Kenneth Peterson, a recently-retired judge with more than 20 years on the bench; and Marjie Lundstrom, senior writer at *The Sacramento Bee* who the Pulitzer Prize in 1991.

In addition to the event in Sacramento, NOCALL will host another event with the San Francisco Bay Chapter of the Special Libraries Association at the Sir Francis Drake Hotel in San Francisco on March 26, immediately prior to the NOCALL Spring Institute and Thirty-Year celebration. NOCALL has been involved with Sunshine Week since OpenTheGovernment.org, AALL and other open government groups sponsored the first national program in 2006, and we thank them for their commitment to promoting open government in Northern California!

[Lyon County Law Library](#) is hosting a Sunshine Week event on March 19 to show the live national Webcast, which will feature an opportunity for participants to call or email questions to the panelists. Thanks to Susan Fowler at Lyon County Law Library for organizing this great opportunity in her community.

FREE TIME WELL SPENT: Further Reading for the Information Policy Junkie

NARA Official Says National Declassification Center Could Solve Major Obstacles

Steven Aftergood, author of [Secrecy News](#), posted a link this month to a recent [briefing](#) by Michael J. Kurtz, Assistant Archivist at the National Archives and Records Administration (NARA), in which Mr. Kurtz explains the major challenges agencies face to declassify government records. Mr. Kurtz cited the National Declassification Center, which was recently established within NARA by President Obama's [Executive Order 13526](#), as a potential solution to the declassification challenge. AALL's [Issue Brief](#) on classification policy analyzes the President's Executive Order and the current status of legislation to reform the classification system.

Experts Provide Online FOIA Analysis

Scott Hodes, a solo practitioner in Washington, D.C., has an interesting blog at [The FOIA blog - Everything FOIA \(and government disclosure\)](#) that follows news related FOIA and access to government information. If you're interested in learning more about real-world uses of FOIA and how to develop effective FOIA requests, the National Security Archive has a great series with excellent FOIA tips on their [blog](#).

Report Shows Online Transparency Drives Trust and Participation in Government

In response to President Obama's call for more open government, ForeSee Results, a market research firm that frequently conducts online surveys for government agencies, set out to measure how citizens view government transparency, participation and collaboration online. Using the American Customer Satisfaction Index (ACSI) methodology to analyze satisfaction with 14 agency Web sites, including NARA's, ForeSee [found](#) in a new report that online transparency is an important measure of satisfaction with the online presence of agencies, and that this satisfaction leads to more trust in and participation and collaboration with government.

OMB Watch Webcast Series Assesses Obama Administration's Progress at One Year

On January 28, OMB Watch kicked off a new Webcast series with a panel discussion to assess the Obama Administration's progress on open government in its first year. Subsequent Webcasts featured discussions on topics such as regulatory reform in the Obama Administration and Recovery Act Transparency. These Webcasts are now [archived](#) and available on OMB Watch's Web site.

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