



*American Association of Law Libraries*  
MAXIMIZING THE POWER OF THE LAW LIBRARY COMMUNITY SINCE 1906

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#### UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE

## **Day on the Hill Participants Advocate for AALL's Policy Priorities**

On Friday, July 24, 2009, the AALL Government Relations Office (GRO) and Government Relations Committee (GRC) held the *2009 AALL Day on the Hill Legislative Advocacy Leadership Training* in Washington, D.C. More than 75 AALL members from 27 states and Japan attended the full-day training. Their enthusiasm and hard work made the event a great success!

Participants started the day off with coffee and networking in the Renaissance Hotel. Incoming GRC chair Camilla Tubbs welcomed the participants, explained the goals for the day, and gave participants a few minutes to get to know the other members from their state. Following these introductions, Government Relations Office Director Mary Alice Baish and Advocacy Communications Assistant Emily Feldman [reviewed the nine "hot topics"](#) on AALL's policy and legislative agenda. This year's policy priorities, many of which were taken from AALL's "[Statement to The Obama-Biden Transition Team: Public Policy Positions of The American Association of Law Libraries](#)," include no-fee public access to PACER, public access to Congressional Research Service (CRS) reports, and support for increased funding for the Law Library of Congress.

Following the briefing of our policy priorities, "Advocacy Guru" Stephanie Vance offered participants an insider's look at how the legislative process works, explaining some tips and tricks that would help participants deliver our message on Capitol Hill. Her interactive presentation and wonderful sense of humor were extremely engaging, and her words of wisdom helped

participants get a sense of what their afternoon meetings on the Hill would be like. Ms. Vance also spent time walking through a few of our issues, including authentication and preservation of government information on the Web, no-fee access to PACER, and access to CRS reports.



*Day on the Hill* participants Sally Holterhoff and Beth Given with Rep. Peter Visclosky (D-IN-1) Photo credit: Dee Wood



*Day on the Hill* participant Cindi Ernst with Rep. Emanuel Cleaver (D-MO-5) Photo credit: Cindi Ernst

*Day on the Hill* participants left the hotel for Capitol Hill fully prepared to present our complex issues to members of Congress and their staffs. With competing priorities such as health care, energy, and the economy, participants were ready to face a challenge. We were pleasantly surprised and impressed to learn during the *Day on the Hill* wrap up following the Hill visits that staff and members of Congress were generally very receptive to our issues. Two issues in particular, no-fee access to PACER and access to CRS reports, resonated well with several members of

Congress. Participants and the Government Relations Office

staff will follow up with those offices to see what we can do to help move our policy priorities forward. We thank all of the law librarians who helped make the *Day on the Hill* an extraordinary success!

The *Day on the Hill* resources, including Mary Alice and Emily's power point slides, Stephanie Vance's power point slides, and the AALL issue briefs on our nine "hot topics" will be posted on AALLNET soon. If you haven't already done so, please take a moment join the [AALL Advocacy Listserv](#) to connect with your colleagues and contribute what's happening in your state, and [sign up for the Washington Blawg](#) to receive regular updates from the Government Relations Office.

### **Program Summary: Evaluating Federal e-Life Cycle Management—A Town Meeting with OSTP, NARA and GPO**

AALL was honored this year to host high level officials from the Government Printing Office, the new Administration's Office of Science and Technology Policy, and the National Archives and Records Administration (NARA). Speakers included Robert C. Tapella, Public Printer of the United States; Dr. Beth Noveck, Deputy Chief Technology Officer for Open Government, Office of Science and Technology, Executive Office of the President; and Paul Wester, Director of Modern Records Programs, National Archives and Records Administration (NARA).

The speakers addressed the need for permanent access to official, authentic online legal information, a principle to which AALL has long been committed. Mr. Tapella spoke about the Government Printing Office's efforts to authenticate government information, beginning with the public and private laws of the 110<sup>th</sup> Congress. He also highlighted the [Federal Digital System](#) (FDsys), GPO's new digital system that provides access to government information from all three branches of government. GPO conducted several listening sessions with law librarians during the development of FDsys, and the agency continues to invite public comment. We encourage you to explore the site and send your comments to [pmo@gpo.gov](mailto:pmo@gpo.gov).

Deputy Chief Technology Officer for Open Government Dr. Beth Noveck summarized some of the Obama Administration's important efforts on transparency, including President Obama's memos on [Transparency and Open Government](#) and the [Freedom of Information Act](#), and his [Executive Order on Presidential Records](#) (Executive Order 13489). She explained the White House's aim to make the policy-making process more open, and its efforts to "institutionalize collaboration" through efforts like the recent [Open Government Dialogue](#). Dr. Noveck, who is on leave from New York Law School, noted that she considers herself a member of the legal community, and she challenged AALL members to continue to pressure the Administration on our top priorities, including no-fee public access to government documents.

Paul Wester emphasized the importance of NARA's leadership on records management, including e-records management, and his goal of getting agencies to understand the importance of managing their records. He also gave an update on NARA's Electronic

Records Archive (ERA), the system that is designed to preserve federal and presidential records. The system, plagued with delays, should be fully developed by 2012.

Though Mr. Wester did not speak to this, it's worth noting that the Government Accountability Office released a [new report](#) on July 24, 2009 on the NARA's ERA Fiscal Year 2009 Expenditure Plan. The 2009 Omnibus Appropriations Act requires NARA to submit an expenditure plan for the ERA to the House and Senate Appropriations Committees. Of particular concern is that NARA has ingested less than 3 percent of the electronic records from the Bush Administration into the system at the time of GAO's review, and NARA did not expect the remainder to be ingested until October 2009. We will continue to put pressure on NARA to move the ERA forward in a timely manner. We also plan to submit comments on NARA's [draft strategic plan](#).

AALL extends our thanks to these prominent speakers. Their participation helped make this program a great success and memorable event for our members.

### **AALL's Legislative and Regulatory Update**

On Tuesday, July 28, 2009, AALL held its 2009 Legislative and Regulatory Update. This year, incoming GRC Chair Camilla Tubbs presented two prestigious awards: the 2009 [Robert L. Oakley Member Advocacy Award](#) to Richard J. McKinney, and the [AALL Public Access to Government Information \(PAGI\) Award](#) to [The Sunlight Foundation](#).

Mr. McKinney received the Member Advocacy Award because of his diligent work on the [Law Librarians' Society of Washington, DC \(LLSDC\) Legislative Sourcebook](#), and his commitment to helping fellow law librarians with their research questions. Mr. McKinney expressed his surprise and thanks for the distinction. With typical modesty, he emphasized that "promoting access to government information is what law librarians do."



Mary Alice Baish, Camilla Tubbs, and Stephanie Hess with Member Advocacy Award winner Rick McKinney  
Photo credit: Stephanie Hess

The PAGI Award was presented to The Sunlight Foundation in recognition of their efforts to promote government openness and accountability through the use of cutting-edge technologies. Ellen Miller, executive director of The Sunlight Foundation, accepted the PAGI Award on behalf of the foundation. Ms. Miller and Michael Klein founded The Sunlight Foundation three years ago, with the goal of using the power of the Internet to create more government openness. The foundation took its name and inspiration from Justice Louis Brandeis, who is famous for his quote, "Sunlight is said to be the best of disinfectants." Ms. Miller described Sunlight's many projects that use new technologies to make government information more accessible, including OMB Watch's [FedSpending.org](#) and the Congressional tracking site, [OpenCongress](#).

Following Ms. Miller's presentation, Camilla Tubbs provided a summary of the GRC's work over the past year. Camilla spoke on behalf of outgoing GRC Chair Steve Mirsky, who unfortunately could not attend this year's conference. The committee's accomplishments included spurring useful conversations about state bill tracking on the Advocacy Listserv, which led to the creation of GRC's new [state bill tracking site](#). In addition, the GRC and Government Relations Office released the [AALL Advocacy Toolkit](#) which provides tips and tools to help AALL members and chapters become more involved in advocacy at the federal and state levels.

Outgoing Copyright Committee Chair Keith Ann Stiverson provided a summary of the committee's work over the past year. Some of the committee's activities included analysis of the Section 108 report, review of the Google Books settlement, and monitoring orphan works legislation. Incoming Copyright Committee Vice Chair Roger Skalbeck [testified](#) in May on behalf of AALL, the Special Libraries Association (SLA), and the Medical Library Association (MLA) before the Copyright Office in support of a new exemption to the prohibition of circumvention of copyright protection systems for access control technologies. In the coming year, the committee plans to update the [Issue Brief](#) on the Georgia State case, in which three publishers, two of them non-profits, filed suit against the President, the Provost, the Provost for Information Systems and Technology, and the Dean of Libraries of Georgia State University (GSU), alleging copyright infringement.

Director of the Government Relations Office Mary Alice Baish then provided a [summary of the work of the Government Relations Office](#) over the last year. This included the GRO's work with AALL's three policy committees, the Electronic Legal Information Access and Citation Committee, the Copyright Committee, and the Government Relations Committee, to draft AALL's "[Statement to The Obama-Biden Transition Team: Public Policy Positions of The American Association of Law Libraries](#)." The Government Relations Office celebrated the passage of the *OPEN Government Act* (P.L. 110-175) and the creation of the new Office of Government Information Services at NARA; the reopening of the five Environmental Protection Agency libraries; and the new permanent public access policy at the National Institutes of Health. In the months ahead, we look forward to working with members of Congress to provide increased funding for the Law Library of Congress; improved protections for government whistleblowers; and expanded access to government information through public access to Congressional Research Service Reports and no-fee public access to PACER. As we've seen with the success of the *Day on the Hill*, we can make great strides with *your* help!

## **House Passes Bill to Increase Funding for Law Library of Congress**

On July 30, 2009, the House of Representatives passed the *William Orton Law Library Improvement and Modernization Act* ([H.R. 2728](#)) by a [vote of 383-44](#). As described in [last month's E-Bulletin](#), this bill would provide increased funding for the Law Library of Congress. This bill was one of our key issues that *Day on the Hill* participants brought to Capitol Hill on July 24.

We thank Reps. Zoe Lofgren (D-CA-16) and Dan Lungren (R-CA-3) for their leadership on this issue. AALL will continue to seek support in the Senate for a companion bill.

## **Senate Committee Approves Bill to Improve Whistleblower Protections**

One our top priorities for AALL's *Day on the Hill* was to put pressure on Congress to expand whistleblower protections for federal government employees. *Day on the Hill* participants asked their House representatives to support the *Whistleblower Protection Enhancement Act of 2009* ([H.R. 1507](#)) and asked their senators to improve the senate version ([S. 372](#)) so that it would include access to jury trials and coverage of national security employees.

Thanks in part to the efforts of the AALL members who met with their senators on the [Senate Homeland Security and Governmental Affairs Committee](#), on July 29, the Committee approved the *Whistleblower Protection Enhancement Act of 2009* by a unanimous voice vote. The bill now provides for jury trials for many federal employees and offers protections to national security workers.

While we support the improved S. 372, we still believe this bill does not go far enough. For example, there are limitations on the right to jury trials, and the bill does not provide de novo district court access for FBI and intelligence agency employees. Therefore, AALL will continue to press for the full whistleblower protections provided for in H.R. 1507.

## **OUTSIDE THE BELTWAY: CHAPTER NEWS**

### **Chapter Leadership Roundtable: Government Relations**

On Monday, July 27, 2009 the Government Relations Committee held its Chapter Leadership Roundtable on Government Relations. We were extremely pleased that many members of AALL's chapter government relations committees were present.

During the Roundtable, new AALL GRC member *Catherine Dunn* and her colleague at the Georgetown University Law Library, *Leslie Street*, discussed some of the challenges and lessons they learned from starting LLSDC's new Government Relations Committee. *Madeline Kriescher*, a member of AALL's GRC and chair of CoALL's GRC, discussed her involvement with CoALL, as well as her work with SWALL to help the chapter start their own GRC. Finally, we heard from *Joan Bellistri* of LLAM about her work with the Maryland Library Association and AALL last year to fight a bill that would have cut funding to circuit law libraries. Her example illustrated some of the creative ways that chapters can work with other state groups and the Government Relations Office to accomplish their goals. Thank you to everyone who participated in this year's Roundtable, and we look forward to seeing you again next year!

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

**National Security Archive Report Illustrates Continuing Overclassification Problem**

The National Security Archive released a [report](#) this month that examines how Pentagon authorities are classifying historical information that is already in the public domain. The report's editor, William Burr, suggests that these examples of absurd overclassification need to be addressed by the ongoing review of national security information policy that President Obama [ordered](#) on May 27, 2009.

**Government Computer News: 10 Great Government Web Sites for 2009**

Joab Jackson at [Government Computer News](#) put together his second list of "[Great dot-gov Web Sites 2009](#)." In this article, Jackson notes, "A lot has changed since Government Computer News created its [first list of 10 great government Web sites](#) last year. For one thing, social networking has moved into the mainstream, and to maintain a presence in the communities they serve, the smartest agencies have established footholds on Twitter, Facebook and other such sites... Second and perhaps most important, the Obama administration has made government transparency an agenda item and wants agency Web sites to be crucial elements in achieving that goal." The list includes [Data.gov](#), [State.gov](#), and [FDsys](#).

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