



American Association of Law Libraries

MAXIMIZING THE POWER OF THE LAW LIBRARY COMMUNITY SINCE 1906

The AALL Washington E-Bulletin

<http://www.aallnet.org/aallwash/>
[Sign up for our Advocacy Listserv!](#)
[Sign up for AALL's Washington Blawg](#)

Vol. 2008, Issue 12
December 23, 2008

IN THIS ISSUE

[SPECIAL ANNOUNCEMENTS](#)

- Seasons Greetings from the Government Relations Office
- Statement to The Obama-Biden Transition Team: Public Policy Positions of The American Association of Law Libraries

[TAKE ACTION NOW](#)

- Prepare to Welcome New Members of Congress

[UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE](#)

- Important Changes in Congressional Committee Leadership
- New Issue Brief on Network Neutrality
- Save the Date: 2009 Sunshine Week Webcast
- AALL Participates in EPA Working Group
- Archivist of the United States Allen Weinstein Resigns
- Groups Send Transparency Bailout Letter to the Hill

[OUTSIDE THE BELTWAY: CHAPTER NEWS](#)

- LLSDC Holds Advocacy Program with Government Relations Office Staff

- ORALL Celebrates Passage of Legislation to Ensure the Future of Ohio County Law Libraries

[FREE TIME WELL SPENT: Further Reading for the Information Policy Junkie](#)

- Take Your Seat at the Transition Table
- The Value of Federal Depository Libraries
- CRS Report on “Midnight Rulemaking”
- Government Secrecy Resources

SPECIAL ANNOUNCEMENTS

Seasons Greetings from the Government Relations Office

As the end of 2008 quickly approaches, the AALL Government Relations Office is happy to reflect on a busy and successful year. Thanks to your help, we were able to celebrate the reopening of the Environmental Protection Agency (EPA) libraries; the introduction of H.R. 6589, the *Charles H.W. Meehan Law Library Improvement and Modernization Act* to increase support for the Law Library of Congress; and the implementation of the new National Institutes of Health (NIH) Open Access mandate to require free online access to findings from NIH-funded research. Without all of the phone calls, emails and letters to Capitol Hill from our members and chapters, these successes would not have been possible.

We're looking forward to an exciting and busy new year following President-elect Barack Obama's Inauguration and the start of the 111th Congress in January. As Obama and the new Congress begin their work, we will need *your* help to get law library issues on the minds of your legislators. If you have a newly elected Senator or Representative, please respond to our Action Alert below to get law library issues on their agenda. Be sure to sign up for the Washington [Blawg](#) to get the latest information from the Government Relations Office and subscribe to the [Advocacy Listserv](#) to participate in the conversation. In addition, consider registering for our full-day Advocacy Training, *AALL Day on the Hill: Legislative Advocacy Leadership Training 2009*, on July 24, 2009 to hear about AALL's policy agenda, discover new advocacy skills with Washington, D.C.'s own "Advocacy Guru," Stephanie Vance, and meet with your Congressional delegation on Capitol Hill. To register, simply email Emily Feldman, efeldman@aall.org.

With the New Year approaching, why not make a New Year's Resolution to become part of our Advocacy Team? All you need to do is make a commitment, however big or small, to speak out for law libraries. We are going to see many changes in the next few months and we'll continue to provide you with the resources you need to become a successful

advocate. Thanks again for all of your support this past year. We wish you a happy and healthy New Year!

Statement to The Obama-Biden Transition Team: Public Policy Positions of The American Association of Law Libraries

Today, AALL submitted a [formal statement](#) to the Obama-Biden Transition Team to inform the new Administration and the new Congress of our core values and our public policy goals for the next few years. The statement articulates key policy positions, in accordance with the AALL [Government Relations Policy](#), that relate to the following:

- the importance of the public's right to access government information as a basic tenet of our democracy;
- the need to promote and preserve the historic balance in copyright law between rights holders and users in the digital age; and,
- the protection of personal privacy.

The statement results from the collaborative efforts of members of the AALL Copyright Committee, Electronic Legal Information Access and Citation Committee, and Government Relations Committee. The Government Relations Office invites you to read the statement and learn about the specific issues that we will be promoting here in Washington in the new year.

TAKE ACTION NOW

Prepare to Welcome New Members of Congress

When the 111th Congress convenes in January, more than 60 newly elected Senators and Representatives will join returning members of Congress to address the many challenging issues facing our Nation. If you have a new member of Congress, it is especially important that you educate them about our issues. Below, we've provided some tips for making contact with your new representative so that you can begin to form the relationships that will allow you to become a successful advocate. Before Congress convenes on January 6, 2009, office locations, email addresses and telephone numbers will have been assigned. At that point, we encourage you to contact your new legislator to begin to form a relationship that will allow you to become an effective advocate for law libraries.

The New Members of Congress

The Senate will welcome nine new members in January. The new members are:

Mark Begich (D-AK)
Mark Udall (D-CO)
Jim Risch (R-ID)

Mike Johanns (R-NE)
Jeanne Shaheen (D-NH)
Tom Udall (D-NM)
Kay Hagan (D-NC)
Jeff Merkley (D-OR)
Mark Warner (D-VA)

The close Minnesota election between Al Franken (D) and incumbent Senator Norm Coleman (R) is still undecided at the time of this writing.

In the House, more than 50 new members were elected to office. The Committee on House Administration has already provided helpful information about them in the [New Member Pictorial Directory](#).

How to Make Your First Contact

First, familiarize yourself with your new member of Congress. Has your new representative been in public office before? Does he or she have a J.D.? What issues are important to him or her? With this knowledge, you'll be prepared to make the initial contact with your new representative in January. Second, be prepared to write an email, call the D.C. or district office, set up a meeting with staff in your district, or request a site visit to show your new member how important law libraries are to the community. While writing an email is the best method of written communication, if you prefer to write a letter, be sure to fax it or deliver it to the district office. Since the anthrax attacks on the U.S. Capitol, snail mail is extremely slow and would not be an effective way to deliver your important message in a timely way.

Tips for Effectively Getting Your Message Heard

Whether you write an email or letter, make a phone call, or meet with staff in person, you can use this opportunity to introduce yourself as an advocate for law libraries. Here are some tips to help you relay an effective message:

- Introduce yourself as a constituent and member of the American Association of Law Libraries and your chapter (if applicable).
- Congratulate your new member on his or her election victory.
- Describe your law library and what makes it important to your community. Who are the library users? How does the community benefit from your services?
- If your institution is a depository library, explain the importance of the Federal Depository Library Program (FDLP). Take a moment to point out a few of the reasons your library is so unique and how your library serves as an important resource to ensure that the public has access to government information. You may want to refer to the Government Printing Office's [collection of responses](#) on the value of depository libraries for ideas. Remember, your new

representative may not be familiar with the FDLP, so be sure to describe what the program is.

By giving examples of some of the recent victories achieved by AALL and law librarians, you'll demonstrate the broad scope of our issues and the strength of our advocacy efforts. Here are some examples of our recent successes, and a brief summary of the issues, that you may want to include:

- Introduction of H.R. 6589, the *Charles H.W. Meehan Law Library Improvement and Modernization Act* to increase support for the Law Library of Congress.
This bill would authorize a one-time, additional \$3.5 million for the Law Library of Congress, add a separate line item in the Federal budget for the Law Library, and establish the Charles H.W. Meehan Law Library Support Program to allow outside funding to be raised and provided to the Law Library. The bill was introduced by Rep. Zoe Lofgren (D-CA-16) in July 2008 with support from AALL and the American Bar Association.
- Reopening of the Environmental Protection Agency (EPA) libraries.
Many AALL members are frequent users of Environmental Protection Agency (EPA) libraries. AALL opposed the library closures since EPA's announcement of their library reorganization efforts in 2006. We are grateful to Congress for providing EPA with a \$1 million order included in the FY 2008 appropriations omnibus bill (P.L.110-161) to reopen the libraries. Three regional libraries in Chicago, Dallas, and Kansas City and a combined EPA Headquarters and Chemical Libraries reopened their doors to the public in September 2008.
- Implementation of the new National Institutes of Health Open Access mandate.
This new law, also included in the FY 2008 appropriations omnibus bill, requires free online access to findings from NIH-funded research within 12 months. The public will now be able to access these articles through PubMed Central for free.

While we don't have specific bills to support at this time, here are a few of the upcoming issues that we predict will be of importance to law libraries in the coming year. Take a moment to ask your lawmaker for support on all or some of the following issues:

- Improved funding for the Law Library of Congress.
Ask your member to support legislation to provide more money for the Law Library of Congress, our Nation's de facto national law library.
- Adequate funding for the Government Printing Office and the Federal Depository Library Program.

Your member can show his or her support for public access to government Information by supporting the appropriations request of the U.S. Government Printing Office (GPO).

- Enactment of net neutrality legislation.
By supporting net neutrality legislation, your legislator can demonstrate his or her commitment to ensuring that that all Internet traffic is treated equally. The issue of net neutrality is very important for law libraries because law librarians are providers, creators and users of digital, legal information.

In closing, thank your legislator and reiterate that you look forward to working with him or her during the 111th Congress. Be sure to include your contact information so that your lawmaker's staff can follow up. This initial contact will allow you to start developing a relationship with your lawmaker and become a successful advocate for law libraries in the future.

UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE

Important Changes in Congressional Committee Leadership

The 111th Congress will bring several committee leadership changes in both the House and Senate. In the Senate, [Sen. Charles \(Chuck\) E. Schumer](#) (D-NY) will replace [Sen. Dianne Feinstein](#) (D-CA) as chair of the Senate Rules and Administration Committee. The Rules Committee is important to us because it has jurisdiction over the Government Printing Office, the Library of Congress, and the National Archives and Records Administration (NARA). We look forward to working with LLAGNY and AALUNY to help educate Sen. Schumer on our issues. On the Senate Appropriations Committee, [Sen. Daniel Inouye](#) (D-HI) will step in for [Sen. Robert Byrd](#) (D-W.Va) who is voluntarily removing himself as Chairman after 10 years in this position and 50 years on the committee.

Several important chairmanships will also remain the same. Despite some controversy over his support of Sen. John McCain during the presidential campaign, [Sen. Joseph I. Lieberman](#) (I-CT) will retain his chairmanship of the Senate Homeland Security and Governmental Affairs Committee. Sen. Lieberman is the sponsor of two important pieces of legislation introduced during the 110th Congress which AALL strongly supported. These include the *E-Government Reauthorization Act of 2007* ([S. 2321](#)) which would reauthorize the E-Government Act of 2002 and add a provision to improve the searchability of government Web sites, and [S.RES.401](#) which would provide the public with online access to Congressional Research Service (CRS) publications. AALL has a solid history of working with Sen. Lieberman and his staff, going back to our input on the [E-Government Act of 2002](#).

In addition, we are pleased that [Sen. Barbara Boxer](#) (D-CA) will retain her chairmanship of the Environment and Public Works Committee where she has been a strong advocate for the reopening of the EPA libraries. In addition, [Sen. Patrick Leahy](#) (D-VT), co-sponsor of the *OPEN Government Act* (P.L. 110-175), will continue as chair of the Judiciary Committee.

On the House side, final chairmanship assignments have not yet been announced. However, we do know that [Rep. Henry Waxman](#) (D-CA-30) will leave his chairmanship of the House Oversight and Government Reform Committee to take the lead of the House Energy and Commerce Committee. Rep. Waxman has used his chairmanship to be a strong advocate for open government and accountability, and AALL has supported many bills that he has introduced, including [H.R.1255](#), the *Presidential Records Act Amendments of 2007* and [H.R.985](#), the *Whistleblower Protection Enhancement Act of 2007*. As Chairman of the Energy and Commerce Committee, Rep. Waxman will have the opportunity to address other policy issues of concern to us, such as net neutrality. [Rep. Edolphus Towns](#) (D-NY-10) will now chair the Oversight and Government Reform Committee with new Ranking Member [Darrell Issa](#) (R-CA-49).

New Issue Brief on Network Neutrality

AALL Government Relations Committee member Ryan Saltz has prepared an [Issue Brief on Network Neutrality](#). The Issue Brief explains why net neutrality is necessary to ensure an open and non-discriminatory Internet, and how law libraries would be put in the “slow lane” without it. In the 110th Congress, AALL strongly supported two bills to ensure net neutrality, the *Internet Freedom Preservation Act* (S. 215) and *Internet Freedom Preservation Act of 2008* (H.R. 5353). We are optimistic that with a new Congress and a new President who has [outlined](#) his strong support for net neutrality, legislation ensuring that the Internet remains open and fair will be enacted in the new Congress.

Save the Date: 2009 Sunshine Week Webcast

OpenTheGovernment.org and AALL are pleased to announce the fourth annual Sunshine Week webcast, “Opening Doors: Finding the Keys to Open Government.” This event will take place in D.C. on Friday, March 20th from 1:00 to 2:30 EDT at the [Center for American Progress](#). As in years past, the event will feature a national program followed by local events hosted by sites around the country. This year, the national program will explore what the new Administration is – or should be – doing to promote open government, what you can do to advance that goal, and what the news media are doing to make government information easily available in your communities. We are looking for law library host sites and co-sponsors who can show the webcast and organize local programs in their communities. For more information, please contact [Emily Feldman](#).

AALL Participates in EPA Working Group

The National Advisory Council for Environmental Policy and Technology (NACEPT) sent a [letter](#) last month to Stephen L. Johnson, Administrator of the EPA, on behalf of a

workgroup that EPA requested to conduct a critical review of EPA's [Draft Information Access Strategy](#). The workgroup consisted of eight NACEPT members and four external members, including Mary Alice Baish, who were selected for their experience in the field. The workgroup commended EPA for its outreach efforts to prepare the Access Strategy and its efforts to incorporate user comments into the document. In the letter, NACEPT encourages EPA to focus on two priority activities as they move ahead to implement the Access Strategy. First, to improve the usability of the EPA Web site, including allowing access by external search engines such as Google or Yahoo. Second, NACEPT recommends that EPA utilize their Web site to continue the outreach effort begun in the [Dialogue](#) process. This could be accomplished by including feedback questions as part of the Web site experience and considering a user blog and/or worksite to allow users to provide suggestions for improvements on a real-time basis.

Archivist of the United States Allen Weinstein Resigns

On December 7, Archivist of the United States Allen Weinstein [submitted his resignation](#) to President Bush, effective December 19, citing health reasons. Dr. Weinstein became Archivist in 2005. We were very honored that Dr. Weinstein spoke at two past AALL Annual Meetings and had recently agreed to speak at the 2009 Annual Meeting for the program, "Evaluating Federal e-Life Cycle Management—A Town Meeting with OMB, NARA and GPO." Deputy Archivist Adrienne Thomas will serve as Acting Archivist until President-elect Obama takes office and nominates a new Archivist, who must then be confirmed by the Senate.

Groups Send Transparency Bailout Letter to the Hill

On December 8, AALL joined OpenTheGovernment.org, National Taxpayers Union, and more than 75 good government advocates on a [letter](#) urging Congress to improve the transparency and oversight of the financial bailout. The letter asks Congress to use its oversight authority to make the financial bailout more accountable and transparent. A copy of the letter can also be found on OpenTheGovernment.org's [Bailout Transparency Clearinghouse](#), a collection of useful resources and news to help you track secrecy in the bailout of the financial sector.

OUTSIDE THE BELTWAY: CHAPTER NEWS

If you have news on policy or legislative issues in your AALL Chapter, please [let us know](#). News might address legislation you are tracking, policy-related events your chapter is hosting, or anything you think might be of interest to our community. We'd love to hear from you!

LLSDC Holds Advocacy Program with Government Relations Office Staff

On Thursday, December 4, Mary Alice Baish and Emily Feldman joined LLSDC members for a fun and educational program called, "Change We Can Believe in...For

Libraries.” During this program, we gave an overview of the recent activities of the Government Relations Office, including our work on digital authentication and the many successes AALL achieved during the 110th Congress. We also discussed the outlook for the 111th Congress and the opportunities for greater transparency in the Obama Administration. The program highlighted the ways in which chapters and AALL members can become part of our Advocacy Team, including receiving our emails and action alerts and keeping us updated about what’s going on at the local level. We also invited LLSDC members to sign on to the 21st Century Right to Know Recommendations, and to attend our Advocacy Training in July. The program was an enjoyable event, and we thank LLSDC for inviting us to participate.

ORALL Celebrates Passage of Legislation to Ensure the Future of Ohio County Law Libraries

Submitted by Angela Baldree, ORALL Government Relations Chair and AALL Government Relations Committee member

In March 2005, Ohio legislators added language to the biennial budget bill (HB 66) radically changing the way Ohio Law Libraries operate. Previously, County Law Library Boards were comprised of members of their county Bar Association. Money from fines and penalties went toward the purchase of legal resources for the library. The County Commissioners were responsible for providing space in the county courthouse, the shelving in the library, and the salaries of up to 3 library employees. HB 66 gradually took those responsibilities away from the Commissioners so that by 2011, the libraries would pay 100% of salaries and benefits, and by 2012 they would pay 100% of their rent. Needless to say, these increased expenses would have been devastating to most County Law Libraries.

With the help of a lobbyist, Ohio Law Librarians were able to get language to restructure Ohio county Law Libraries approved by the legislature on December 17, 2008. The new law will create a County Law Library Resource Board (CLLRB), to be appointed by the county commissioners, judges, and prosecuting attorney, by July, 2009. Not only will this new board be responsible for the maintenance of the County Law Library, but it will also manage the coordination, acquisition, and utilization of legal resources for the entire county. In 2010 a statewide consortium will be created. Each County Law Library will be required to contribute 2% of their revenue to this consortium. This consortium will negotiate statewide contracts, catalog resources currently held by County Law Libraries, provide consultation to Law Libraries, and develop guidelines to assist Law Libraries.

We Ohio Librarians are very proud of our work. If HB 66 had been allowed to stand, many Law Libraries in Ohio would have been forced to close their doors. The additional burden of salaries and rent expenses without additional income would have been devastating to the Law Libraries and in turn the citizens of Ohio. This new law also gives additional responsibility and importance to the Law Libraries and Librarians. We are now the legal resources negotiators for the entire county. Hopefully, by centralizing the

purchasing of legal resources, law librarians can save the counties a lot of money. The next two years will be both challenging and exciting for Law Librarians in Ohio!

If you'd like to hear more about the Ohio challenges and similar issues in other states, please consider attending the program at the 2009 Annual Meeting in Washington, D.C. entitled "Building a Coalition of County Law Libraries: A Place to Begin," sponsored by the State, Court and County Law Library Special Interest Group.

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

Take Your Seat at the Transition Table

The Obama Transition Team invites you to participate in a new interactive feature on [Change.gov](#), [Your Seat at the Table](#). This new Web site allows you to track Transition team meetings, view documents provided to the Transition, and leave comments on posted items. The 21st Century Right to Know Project's [transparency recommendations](#) are among the 41 pages of materials currently available on the Web site. You can browse through the reports, filter by category (Civil Rights, Economy, Technology, etc) and follow the comments by signing up to the RSS feed. We applaud the Transition Team for this ground-breaking initiative which reflects President-elect Obama's commitment to use "cutting-edge technologies to create a new level of transparency, accountability, and participation for America's citizens" as outlined in his [Technology Agenda](#).

The Value of Federal Depository Libraries

In August 2008, Acting Superintendent of Documents Ric Davis asked depository library directors to submit comments to him that describe the value users find in their depository collections and the services they provide. A very informative [collection of responses](#) is now available on the FDLP Desktop. The responses demonstrate the value of the federal depository library program in providing both electronic and historical resources to users. GPO continues to invite comments about the value of your depository library through the [FDLP Community](#) site.

CRS Report on "Midnight Rulemaking"

For a look at the number of last-minute rule changes that the Bush Administration has made in their last few months in office, see the Congressional Research Service (CRS) report, "[Midnight Rulemaking: Considerations for Congress and a New Administration](#)," by Curtis W. Copeland. The report examines recent rule changes by the Bush Administration; what the Obama Administration can do at the start of its term to control rulemaking; and a recent legislative proposal for reform offered by Rep. Jerrold Nadler (D-NY-8), [H.R. 7296](#), the *Midnight Rule Act*.

Government Secrecy Resources

For those of you tracking government secrecy, you may find a recent [op-ed](#) by Patrice McDermott, director of OpenTheGovernment.org, and Jason Mercier, director of the Center for Government Reform, to be of interest. The op-ed appeared in *The Examiner* on Wednesday, December 17. Basing many of their comments on recommendations from the 21st Century Right to Know Project [report](#), McDermott and Mercier highlight the need for more government transparency and the important role that Obama can take to bring more openness to government.

In addition, a recent article in CQ Weekly, "[A Dome Under Lock and Key](#)," features an in-depth look at the state of secrecy in Congress and what this costs the public. CQ staff writer Tim Starks also considers the pressure for reform from public interest groups and others and the impact that President-elect Obama might have on encouraging more transparency.

Emily Feldman
Advocacy Communications Assistant
AALL Government Relations Office
(202) 662-4058
efeldman@aall.org

Mary Alice Baish
Director
AALL Government Relations Office
(202) 662-9200
mbaish@aall.org