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GPO Funding Update – Your Letters Still Needed

On September 15, the Senate Appropriations Committee approved higher levels of funding for the Government Printing Office (GPO) than what the House passed in their Legislative Branch Appropriations bill (H.R. 2551) on July 22. The Senate Appropriations Committee approved $116.8 million for GPO, $8 million more than the House-passed bill ($108.1 million) and 21 percent below GPO’s request (versus 27 percent in the House bill).

The Senate bill includes $500,000 for the Revolving Fund, which supports the continued development of FDsys (the House had eliminated funding for the Revolving Fund), $35 million in Salaries and Expenses, which supports annual FDsys expenses and the Federal Depository Library Program (the House provided $33.5 million) and $81.3 million for Congressional Printing and Binding, which funds congressional information databases (the House provided $74.6 million). AALL has developed a chart showing GPO’s funding levels since FY 2010. With the help of our Government Relations Committee, we have also written one-pagers on GPO Funding and FDsys that explain the value of GPO’s work and why Congress should fund the agency at the highest levels possible.

We were pleased to see that the Senate report accompanying the Legislative Branch Appropriations bill includes very supportive comments regarding GPO’s important work in cost-effectively disseminating government information and supporting an open and transparent government. In reference to appropriations for the Revolving Fund, the report states: “The Committee supports continued investment in the Revolving Fund as the most efficient solution to both cutting costs and ensuring efficient online access to government documents. The Committee supports the GPO’s continued development of its Federal Digital System and its Business Information System given that these efforts continue to reduce costs.” Thank you to all of you who contacted your Senators in support of increased funding for GPO over the past month. Your letters and stories on the importance of FDsys clearly made a difference. AALL President Darcy Kirk also wrote the Senate this month in support of GPO and the Administration’s funding request.

The Legislative Branch Appropriations bill could next be considered on the Senate floor, or it could go straight to conference. Since Congress recently approved a stopgap measure to fund the government through the end of the Fiscal Year (September 30), and will likely approve a Continuing Resolution to fund the government until November 18 when members return to Washington, D.C. next week, a compromise on Legislative Branch funding will probably not be worked out for several weeks.

In the meantime, it is very important the AALL members continue to speak up about the importance of funding for GPO, including FDsys and the Federal Depository Library Program. Members of Congress need to hear from their constituents (you!) about how these programs benefit their communities and what the implications would be if funding was cut.

If you haven’t already contacted your Members of Congress, please take action today.
• **ALL** AALL members are urged to contact their Senators to urge them to provide as close to full funding for GPO as possible.

• If you live in Montana, Nebraska, North Dakota, Ohio or South Dakota, please thank your Senator on the Appropriations Subcommittee on the Legislative Branch for approving increased funding for GPO and ask him to continue to support higher funding levels.

• If your Representative is on the House Appropriations Subcommittee on the Legislative Branch, please write a letter urging him or her to support higher levels of funding for GPO.

See our updated Action Alert, which contains customizable sample letters for Senators and members of the House Appropriations Subcommittee on the Legislative Branch.

*Please send a letter by email or fax to your Members of Congress; then send a copy of your letter to efeltren@aall.org or by fax to (202) 737-0480. Thank you!*  

**FCC Moves One Step Closer to Ensuring Net Neutrality**

On September 23, the Federal Communications Commission (FCC) at long last published its Final Rule on Preserving the Open Internet, laying out the rules governing Network Neutrality (net neutrality). The introduction of these rules concludes a two-year process conducted by the FCC to develop and finalize rules to protect an open and nondiscriminatory internet.

Net neutrality is important to law librarians because it protects the unique, open nature of the internet, and promotes innovation, intellectual freedom and competition. AALL’s support for net neutrality is clearly stated in our Government Relations Policy.

As we describe in our Network Neutrality Issue Brief, in December 2010 the FCC adopted a Report and Order (“R&O”), In the Matter of Preserving the Internet, Broadband Industry Practices which laid out what is in the Final Rule. Although AALL believes that the rules could have gone farther in protecting libraries from pay-for-priority pricing and defining practices for mobile broadband providers, we are pleased that the FCC has taken steps to preserve an open internet.

Barring several possible speed bumps, the rules will come into effect in November. One potential cause for a delay is that the introduction of the rules gives anti-net neutrality Senators the ability to force a vote on a joint resolution (S. J. Res 6) that would require the FCC to repeal the rules and strip the agency of the authority to implement net neutrality. In April, the House passed an identical resolution (H.J. Res 37), largely along party lines.

In addition, we expect to see legal challenges from Internet Service Providers such as Verizon and MetroPCS, both of which sued the FCC in December 2010 arguing that the FCC does not have the authority to implement the rules. However, the U.S. Court of Appeals for the District of Columbia dismissed their suit in April, finding that the companies were required to wait until the rules were published. We will keep you updated as developments occur over the next couple of months.
White House Furthers Commitment to Improving FOIA

This month, the White House released its Open Government National Action Plan, which contains a strong commitment to improving the Freedom of Information Act (FOIA). The new Plan is part of the Open Government Partnership, a global initiative that supports transparent and accountable institutions around the world.

The National Action Plan lays out goals to:

- **Professionalize FOIA Administration.** We will continue work on a new civil service personnel category (or job series) for officials who specialize in administering FOIA and other information programs. It is important to recognize the professional nature of the work done by those administering FOIA.

- **Harness the Power of Technology.** We will expand our use of technology to achieve greater efficiencies in FOIA administration, including utilization of technology to assist in searching for and processing records. Moreover, as agencies increasingly post information on their websites, we will work to ensure that the information is searchable and readily usable by the public.

The Department of Justice’s Office of Information Policy (OIP), which is responsible for ensuring agency compliance with FOIA, announced earlier this month that it will “focus on the power of technology to transform how the FOIA is administered…OIP sees the next horizon in FOIA administration as entailing far greater utilization of technology to assist in the core elements of FOIA processing so that even greater efficiencies can be achieved.” In the new fiscal year, OIP will convene its technology working group and start a dialogue for agencies to exchange ideas on how to better use technology in FOIA administration.

AALL commends the White House and OIP for their continued efforts to improve FOIA and meet the requirements of the Electronic Freedom of Information Act Amendments of 1996 (P.L. 104-231) to make government information more accessible online.

**Government Accountability Office Assesses E-Government Fund Programs**

Recently, the Senate Committee on Homeland Security and Governmental Affairs, under the leadership of Sen. Joe Lieberman (ID-CT) and Susan Collins (R-ME), asked the Government Accountability Office (GAO) to assess the progress of several E-Government Fund (E-Gov Fund) investments, including FedRAMP, Citizen Services Dashboard, FedSpace, and Data.gov. The E-Gov Fund was created by the Electronic Government (E-Gov) Act of 2002 (P.L. 107-347), sponsored by Sen. Lieberman, to promote e-government services and enhance the use of the Internet for citizen access. AALL was a strong advocate for the passage of the E-Gov Act. In June, we joined a letter to the House Appropriations Subcommittee on Financial Services and
General Government to urge restored funding for the E-Gov Fund, which was severely cut in FY 2011.

In its report, GAO found that Data.gov was the only project of the four to have made progress toward its goals. In response to budget cuts for FY 2011, FedSpace and Citizen Services Dashboard were recently terminated.

Despite these disappointments, GAO concluded the report on a positive note, stating that the E-Gov Fund projects “could potentially lead to benefits including cost savings and efficiency, customer service transparency, and government-wide collaboration and information sharing.”

**OUTSIDE THE BELTWAY: CHAPTER NEWS**

**SNELLA Highlights UELMA in Connecticut**

*Submitted by Jonathan C. Stock, Government Relations Chair, SNELLA*

The 2011 Connecticut Public Act 150 §28 mandates that the State Librarian, in conjunction with other key officials, establish standards for electronic authentication and preservation no later than January 1 of 2012. Accordingly, SNELLA recently submitted the Uniform Electronic Legal Material Act (UELMA) and our local inventory to the Connecticut State Library. A dialogue about UELMA is now ongoing: one that aims at contributing significantly to the ultimate policy/guidelines result.

**FREE TIME WELL SPENT: Further Reading and Resources for the Info Policy Junkie**

**Compare Hidden Text of Pentagon Papers**

The National Security Archive has posted a side-by-side comparison of three searchable editions of the Pentagon Papers at various stages of release. The new site demonstrates what the government tried to keep out of public reach for 40 years.

**National Archives Posts Thousands of Free Materials on iTunes U**

The National Archives and Records Administration recently joined other government agencies, including the Library of Congress, in posting a set of thousands of free lectures, videos, books and podcasts. These materials can be accessed through iTunes U.

**Law Library of Congress to Host Second Kellogg Lecture on Jurisprudence**

On October 5, the Law Library of Congress will host Professor Joseph Raz for a lecture titled “Sovereignty & Legitimacy: On the Changing Face of Law-Questions and Speculations.” This is the Law Library’s second annual Frederic R. and Molly S. Kellogg Biennial Lecture in Jurisprudence.