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The AALL Washington E-Bulletin

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IN THIS ISSUE

SPECIAL ANNOUNCEMENTS

- Changes for the Washington Affairs Office
- Happy Thanksgiving!

UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE

- You're Invited! AALL Day on the Hill: Legislative Advocacy Leadership Training 2009
- What's Happening on the Hill
- New Administration Strong on Transparency
- AALL Endorsed Recommendations for the Obama Administration and the New Congress
- Whistleblower Legislation Stalls in the House, but Chances Look Good for the 111th Congress
- Great New Regulatory Resource for Law Librarians!
- Retired Associate Justice Sandra Day O'Connor Receives the 2009 Wickersham Award

OUTSIDE THE BELTWAY: CHAPTER NEWS

- LLAGNY and SNELLA Hold Events on Authentication and Advocacy

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

- U.S. District Court Judge Rules in Favor of Public Access
- UN Launches Online Audiovisual Library of International Law

SPECIAL ANNOUNCEMENTS

Changes for the Washington Affairs Office

As AALL President James Duggan [reported](#) in his November E-Newsletter, the AALL Executive Board has approved a name change for the AALL Washington Affairs Office; it will now be known as the AALL Government Relations Office. This name change reflects our work on the federal, state, and international levels. Mary Alice Baish was named director of the Government Relations Office. AALLNET will be updated to reflect these changes over the next few months.

Happy Thanksgiving!

What a marvelous time of the year, and one which reminds us to recognize with deep gratitude all of you in the AALL community who volunteer your time and effort throughout the year to help promote our policy agenda. We thank all of the loyal readers of our Washington E-Bulletin and "Blawg", especially those of you who have taken up our call to action and made those important calls to members of Congress this year. We also thank all of you who were able to attend our advocacy training session in Portland last July and the many excellent policy programs during the 2008 Annual Conference. And we especially want to thank each of the members of AALL's policy committees—the Copyright Committee, Electronic Legal Information Access and Citation Committee, and Government Relations Committee—who are always there to advise us and who serve our Association so very well. Have a wonderful Thanksgiving!

UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE

You're Invited! AALL Day on the Hill: Legislative Advocacy Leadership Training 2009

On Friday, July 24, 2009 from 8:30am – 5:00pm, a group of your colleagues and peers will meet in Washington, D.C. for *AALL Day on the Hill: Legislative Advocacy Leadership Training 2009*. We want you to join in the action! The AALL Government Relations Office and the Government Relations Committee are pleased to offer you a unique opportunity to spend a day in Washington, D.C. to **learn advocacy skills, network with colleagues, and meet with your Congressional delegation on Capitol Hill**. With the 111th Congress gearing up to tackle new issues and a new president coming into office with a message of change, we need YOU to help get law library issues on the minds of your legislators!

By attending this year's Advocacy Training, you'll hear from the Government Relations Office staff and Government Relations Committee Chair Steve Mirsky, network with colleagues, and **learn about our legislative agenda and new advocacy skills from**

Washington, D.C.'s own "Advocacy Guru," Stephanie Vance. Ms. Vance has more than 15 years of experience as a lobbyist and a congressional aide and she will impress you with her knowledge and wonderful enthusiasm for advocacy. After spending the morning learning the skills you need to successfully advocate for law libraries, you'll be able to jump right in and meet with your congressional delegation in the afternoon. Following the tremendous success of the full-day training in 1999, we know this event will be educational, exciting and fun.

Our goal is to have participants from each of our chapters and from every state so that we can develop chapter leadership, broaden support for our legislative work and train a larger number of highly skilled advocates. Please consider joining us in Washington, D.C. Building relationships is key to becoming a successful advocate, and what better place to learn how to build relationships with your lawmakers than in our Nation's capital? **Please register by contacting Emily Feldman at ejf33@law.georgetown.edu.**

What's Happening on the Hill

Members of Congress won't have much time at home for the holidays this year. After spending the month of November in a lame duck session where the focus of attention was on relieving the financial sector, Congress plans to return in December after the Thanksgiving recess to work on relief for the auto industry. Following the Christmas holiday, the new 111th Congress will convene on January 6.

For a summary of the legislation we've been tracking during the 110th Congress, look for the Washington Brief column in the December issue of *Spectrum*, which should be arriving in your mailbox shortly. Until then, you can see the [article](#) on AALLNET. In the December issue of the E-Bulletin, we'll give you a wrap-up of the 110th Congress and discuss the outlook for our core legislative priorities in the new Congress.

New Administration Strong on Transparency

The election of Sen. Barack Obama to be the 44th President of the United States has promising implications for many of the issues of concern to law librarians. During his time in the Senate, Sen. Obama frequently advocated for government transparency and other library-related issues. For example, he co-sponsored legislation with Sen. Tom Coburn (R-OK) in 2006, the *Federal Funding Accountability and Transparency Act* ([P.L. 109-282](#)), which AALL supported. The new law mandates that the Office of Management and Budget (OMB) create and maintain a searchable public database of all federal spending, which is now available at USASpending.gov. In addition, Obama recently articulated his opposition to the closures of the Environmental Protection Agency (EPA) libraries in a [letter](#) to American Federation of Government Employees President John Gage.

As part of his [Technology Agenda](#) outlined on Change.gov, President-elect Obama spells out how he would like technology to play a role in bringing the government to the people. For example, his agenda includes the need to:

Ensure the Full and Free Exchange of Ideas through an Open Internet and Diverse Media Outlets

- **Protect the Openness of the Internet:** Support the principle of network neutrality to preserve the benefits of open competition on the Internet.

and

Create a Transparent and Connected Democracy

- **Open Up Government to its Citizens:** Use cutting-edge technologies to create a new level of transparency, accountability, and participation for America's citizens.
- **Bring Government into the 21st Century:** Use technology to reform government and improve the exchange of information between the federal government and citizens while ensuring the security of our networks. Appoint the nation's first Chief Technology Officer (CTO) to ensure the safety of our networks and lead an interagency effort, working with chief technology and chief information officers of each of the federal agencies, to ensure that they use best-in-class technologies and share best practices.

AALL supports these good open government positions and we are very pleased that President-elect Obama has already announced that he will nominate someone for the new position of CTO. Over the last several months we have been engaged in drafting transition recommendations for Obama and the 111th Congress. Many of these recommendations outline steps Obama and the new Congress can take to ensure greater government transparency.

AALL Endorsed Recommendations for the Obama Administration and the New Congress

As we reported in the [October Edition](#) of the E-Bulletin, AALL has been working closely over the past year with a diverse set of organizations to develop transparency recommendations for the next president and Congress. AALL and many law librarians were actively involved in helping to draft the 21st Century Right to Know Project's seventy recommendations, which are included in the report, "[Moving Toward a 21st Century Right-to-Know Agenda: Recommendations to President-elect Obama and Congress.](#)" In addition to AALL, more than seventy-five individual law librarians, nine AALL chapters (CoALL, GPLLA, LLOPS, NOCALL, SANDALL, SCALL, SFALL, SNELLA, and WestPac), and AALL's Government Relations Committee and Technical Services Special Interest Section endorsed the report. We are very grateful to these chapters and AALL members for taking the time to read all the recommendations and agreeing to endorse them. If you haven't yet signed on, you can still do so. OMB Watch will be accepting [signatures](#) until the Inauguration.

The seventy recommendations emphasize the need for the Obama administration and

Congress to move the federal government's information policies into the 21st century. The recommendations fall into three categories: National Security and Secrecy; Usability of Information; and Creating a Government Environment for Transparency. Included in the report are also recommendations for Obama's first 100 days. One of these recommendations is that the President, "should state in his inaugural address that he will oversee the "most open, honest, and accountable government ever" to improve trust in our government." We will be listening carefully during his speech for any explicit statements about these issues.

OMB Watch will release a print version of the report in the next couple of months. To have your name included in the print version, please [sign on](#) as soon as possible!

Whistleblower Legislation Stalls in the House, but Chances Look Good for the 111th Congress

In June, AALL joined 111 organizations on a [letter](#) to members of Congress in support of reconciling House and Senate legislation ([H.R. 985](#) and [S. 274](#)) to protect whistleblowers and ensure greater government accountability. H.R. 985 passed the House in March 2007. Unfortunately, due to several secret holds on the Senate bill, it stalled and it is very unlikely that Congress will take up whistleblower protections during the lame duck session. However, advocates think they can gain enough support in the Senate to pass strong whistleblower protections next year. There is some uncertainty on the House side, however, since Rep. Henry Waxman (D-CA-30) will be leaving his chairmanship of the House Oversight and Government Reform Committee to chair the House Energy and Commerce Committee. Rep. Waxman is an outspoken supporter of whistleblower rights and the House Oversight and Government Reform Committee, not Energy and Commerce, has jurisdiction over whistleblower issues. At this point, it is unclear who will become the next Chair of the House Oversight and Government Reform Committee. Stay tuned.

Great New Regulatory Resource for Law Librarians!

The [Office of the Federal Register](#) has created a new online [Public Inspection Desk](#) to provide electronic access to documents that will be published in the next day's Federal Register. With the flood of regulations expected before the Bush administration leaves office, this is an extremely useful and timely tool to monitor the latest regulations. Michael White, Managing Editor of Federal Register Publications & Services, Office of the Federal Register, National Archives & Records Administration, discussed the new development with Mary Alice Baish:

I would say that our new Electronic Public Inspection Desk on [FederalRegister.gov](#) serves as an example of how a relatively small project can significantly broaden access to Government information for underserved segments of society. For 72 years, a cadre of regulatory analysts working for law firms and interest groups came over to our office each morning to preview documents that would appear in the typeset edition of the *Federal*

Register anywhere from one day to several weeks later. If an agency filed a “hot document” with us in the afternoon, D.C. insiders could get a copy from us in short order. So for all these years a class of well-connected consumers of government information had an advantage over everyone else.

In contrast with that level of access, we would get calls from people all over the country trying to find out more about a proposed or final regulation on file. They could be managers of medical practices and small businesses, farmers, or truck drivers who might plead with us to read part of the text over the phone to learn how it would affect them. It simply wasn't a level playing field for most of the public, and my staff spent too much time dealing with a select few. Now we are proud to be serving an expanded global audience for U.S. regulatory information, no longer limited by geography and resources. The Electronic Public Inspection Desk is the first of several initiatives where we are taking a “Web-first” approach to publishing Federal Register information.

We applaud the Office of the Federal Register for enhancing public access through the new online Public Inspection Desk and we look forward to their future new Web services. We hope many of you will find this to be a very useful tool.

Retired Associate Justice Sandra Day O'Connor Receives the 2009 Wickersham Award

AALL President James Duggan, who served on the committee for the Friends of the Law Library of Congress' 2008 Wickersham Award, attended the gala dinner which was held here in D.C. on October 30. Joining him for this special event were Executive Director Kate Hagan and Mary Alice Baish, along with many AALL members and staff from the Law Library. The Wickersham Award was presented by the Friends for the first time in 1996 and recognizes an individual who exemplifies "exceptional public service and dedication to the legal profession." It was especially fitting that this year's honoree was Retired Associate Justice Sandra Day O'Connor, who in past years had hosted the dinners at the Supreme Court. She very graciously accepted the award with a touch of humor, noting that she was probably the only Wickersham recipient who was also in the National Cowgirl Hall of Fame.

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, events your chapter is hosting, or anything you think might be of interest to our community. We'd love to hear from you!

LLAGNY and SNELLA Hold Events on Authentication, Advocacy

Deborah Melnick, co-chair of LLAGNY's Education Committee, and David G. Badertscher, Principal Law Librarian at the New York Supreme Court and a member of [Electronic Legal Information Access and Citation Committee](#), worked together to plan a well-attended [program](#) on "Authentic Legal Information in the Digital Age: Is Online Legal Information Trustworthy?" The goal of the event, which took place in New York City on November 6, was to discuss approaches, strategies, and challenges to adopting the findings of the [State-by-State Report on Authentication of Online Legal Resources](#) in the State of New York. David served as moderator and the panel consisted of four speakers: Mary Alice Baish; Anita Postyn, Law Librarian at the Civil Court of the City of New York—Queens and author of the New York state section of the 2007 authentication report; James W. Leary, an attorney from the Office of General Counsel at the New York State Department of State; and Gary D. Spivey, New York State Reporter. For a full review of the program, see [David's posting](#) on his Criminal Law Library blog. This was a great program and we are very grateful that LLAGNY is committed to working with state officials to educate them further about the need to improve the reliability and integrity of New York's online legal titles.

On November 10, Mary Alice participated in another exciting chapter program, this one sponsored by SNELLA and held in Hartford, CT. This was a two-pronged program. The first session was on AALL's digital authentication efforts and, in addition to Mary Alice's presentation, Darcy Kirk talked about her work on these issues with the Working Group For Electronic Access to the Regulations of Connecticut State Agencies. Darcy is also a member of the Law Library Advisory Committee in her state and has been educating the co-chairs of the Appellate Rules Committee who would have the authority to decide on official status of online opinions for Appellate and Supreme Court opinions.

During the second part of the program Steve Mirksy, chair of the Government Relations Committees for both AALL and SNELLA and, and Mary Alice each spoke about how AALL and SNELLA could work together more effectively. Steve's presentation focused heavily on SNELLA's advocacy efforts during the past year and a new draft public policy statement under consideration by the chapter. Steve reported that SNELLA was involved this past year in monitoring a bill that proposed to mandate that each State agency post their regulations online as soon as they are issued. While this seemed like a good idea at first glance, further investigation found that the bill did not include a provision covering whether these regulations would be official, provide for the possibility of authentication, or establish a centralized database for regulations, instead having the regulations posted on each individual agency's website.

Steve and Mary Alice have posted their [slides](#) on our Web site for other chapters to use for similar advocacy programs. If you think your chapter would like to hold a similar event, please contact AALL Advocacy Communications Assistant Emily Feldman at ejf33@law.georgetown.edu.

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

U.S. District Court Judge Rules in Favor of Public Access

On November 17, Judge Royce C. Lamberth, Chief Judge for the U.S. District Court for the District of Columbia, ruled that the press and public have a First Amendment and common law right of access to warrants and related materials pertaining to searches conducted in the investigation of the 2001 anthrax mailings. This is a very positive ruling in favor of the public's right to know. You can read the Opinion for this case [here](#) and the Order [here](#).

Judge Lamberth is a very familiar face to many of us. Formerly the presiding judge of the Foreign Intelligence Surveillance (FISA) Court, he shared his experiences with AALL members at this year's Annual Meeting during the program, *Explore the Secret Workings of the FISA Court*. Judge Lamberth also spoke about public access to electronic information from the courts during our 1999 Annual Meeting in Washington, D.C.

UN Launches Online Audiovisual Library of International Law

The [United Nations Office of Legal Affairs](#) has launched the [Audiovisual Library of International Law](#). The Audiovisual Library offers an [Historic Archives](#), a [Lecture Series](#), and a [Research Library](#) providing an on-line international law library with links to treaties, jurisprudence, publications and documents, scholarly writings and research guides.

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