



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

Authentication and e-Life Cycle Management

Audience—Legislators who are attorneys, and ideally serve on the following committees:

Senate: Homeland Security and Governmental Affairs; Judiciary; Rules and Administration

House: House Administration; Judiciary; Oversight and Government Reform

Message—Educational, in order to build allies in Congress who recognize that the lack of authentication and preservation of “born digital” legal information is a serious problem that must be addressed. NCCUSL has just approved creating a drafting committee for a uniform state law, *The Authentication of Online State Legal Materials Act*. **A similar solution is needed government-wide at the federal level.** Use examples to tell a story.

Background—Since the mid-1990s, AALL has been outspoken about the federal government’s responsibility to ensure e-life cycle management, including authentication, permanent public access and preservation. There is little recognition of the importance of e-life cycle management in the federal government, and no legislative mandate requiring the authentication and preservation of online-only legal information accessible on the Web sites of Congress, the White House, federal agencies or the courts.

Over the last several years, AALL has become a national leader in advocating for the authentication and preservation of online legal information. In March 2007, we published the groundbreaking [*State-by-State Report on Authentication of Online Legal Resources*](#), which revealed that a significant number of state online legal resources are considered to be official but that states have not yet implemented ready authentication by standard methods.

In April 2007, AALL convened a very successful National Summit on Authentication of Digital Legal Information in Chicago which was attended by leaders within the ABA and representatives of state governments. Everyone agreed that we have a serious problem on our hands. Like the federal government, many states are increasingly moving to an online-only environment for some core legal resources, which makes these findings particularly alarming. The budget crisis affecting federal and state governments today makes the situation more important than ever before as officials make shortsighted decisions to eliminate print legal resources in favor of online-only.

There has been some important progress resulting from AALL's leadership on digital authentication, including that:

- **The U.S. Government Printing Office (GPO)** now provides access to online collections of authenticated Public and Private Laws of the 110th and 111th Congresses. Beginning this year, GPO is also digitally authenticating House and Senate bills. Users of these collections are assured that the online version has not been altered or changed from the original official version. Staff in the House and Senate use digital signatures, encryption and digital "locks" (called "Public Key Infrastructure") to transmit the data files securely from Congress to the GPO.

- **NCCUSL's** Executive Committee has just approved creating a drafting committee for a uniform law, *The Authentication of Online State Legal Materials Act*. Michele Timmons, Minnesota Revisor of Statutes and NCCUSL Commissioner, was among our invited delegates to the April 2007 National Summit, and she offered to bring our concerns to NCCUSL's attention. At her request, last summer NCCUSL approved a study committee, which she chaired, to determine whether it would be useful to create a uniform law to require state online legal materials, especially those considered to be official, to be authenticated and preserved.

PERSONALIZED SAMPLE MESSAGE—Thanks to Sally Holterhoff, who as AALL President, convened our National Summit in 2007.

As you know, government/legal information from the federal government is a top priority for the people of our state/district (maybe give an example of why...). It is great progress that so much information is now available in electronic format (including your own web site and that of the _____ committee).

But, as legal information professionals, we and our association have some real concerns. We believe the federal government has an obligation to make sure that official online information resources, especially primary legal sources, are freely available to the public, are authentic, and are preserved permanently, just as print sources have been. We are pleased that the Government Printing Office has made some good progress in this direction, but there is still a long way to go.

States such as ours are looking to the federal government for a model of how to do this—make sure that online versions are preserved and are not altered or corrupted from original official versions—by using digital signatures, encryption, and other technology. Those methods have already been used by the GPO to produce authenticated online versions of the public laws of the 110th and 111th Congress, and now Congressional bills beginning with the 111th Congress.

But that is just the beginning and much more needs to be done to develop a solution at the federal level. Will you help us in this important effort?