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The AALL Washington E-Bulletin

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TAKE ACTION NOW

Calls and Visits Needed for the *Charles H.W. Meehan Law Library Improvement and Modernization Act* ([H.R. 6589](#))

As Congress heads home for August recess, please considering contacting your House Representative with an [urgent request](#) to co-sponsor [H.R. 6589](#), the *Charles H.W. Meehan Law Library Improvement and Modernization Act*. This important bill, which comes as a response to efforts by AALL and the American Bar Association to improve funding for the Law Library of Congress, will authorize a one-time, additional \$3.5 million for the Law Library of Congress and its own separate line item in the Federal budget beginning in FY 2010. It will also establish the Charles H.W. Meehan Law Library Support Program, which will allow outside funding to be raised and provided to the Law Library for new enhanced services. Immediate Past President Ann T. Fessenden and representatives from the American Bar Association (ABA) [testified](#) at an October 2007 hearing before the House Committee on Administration in support of the new line item.

In order to move this bill through the House, we need additional co-sponsors. The August recess is the perfect time to call your Representative's district office or set up a meeting with his or her staff. It is especially important to contact members of the [Committee on House Administration](#) to thank them for their support and members of [the House Appropriations Subcommittee on the Legislative Branch](#) to ask that they co-sponsor H.R. 6589.

To learn how to take action, please see our [Action Alert](#). We need your help to ensure that our nation's Law Library of Congress becomes the first-rate law library that legal researchers, members of the public, and Congress deserve!

UPDATES FROM THE HILL AND THE WASHINGTON OFFICE

Summary of Annual Meeting Advocacy Programs: A Success!

Legislative Advocacy Leadership Training

Each year, the Washington Affairs Office and Government Relations Committee (GRC) host several programs during AALL's Annual Meeting. This year, we held our Legislative Advocacy Leadership Training on Saturday, July 12 in Portland, Oregon. With more than forty people in attendance and an engaging group of speakers, the Advocacy Training was a great success!

Kicking off the training, 2007-2008 GRC Chair Scott Matheson gave the opening address, and Mary Alice Baish and Emily Feldman provided an overview of the past year's advocacy work. Mary Alice discussed AALL's efforts on digital authentication,

highlighting the key findings of the 2007 [State-by-State Report on Authentication of Online Legal Resources](#) and noting progress made since the [National Summit on Digital Authentication](#) in April 2007. Emily Feldman outlined the variety of ways in which the Washington Affairs Office keeps our members informed and engaged on the information policy issues, including the [E-Bulletin](#), [AALL's Washington Blawg](#), and the [Advocacy Listserv](#).

Following these presentations, GRC member Angela Baldree of the Lake County Law Library in Ohio moderated a panel discussion on "County Law Libraries: Facing Challenges, Finding Solutions." Jacquelyn Jurkins, Director of the Multnomah Law Library in Oregon, spoke first, outlining challenges faced by the Multnomah Law Library, including reductions in revenue and maintaining status and identity within the county. Joan M. Bellistri, Law Librarian at the Anne Arundel County Public Law Library in Maryland, explained the recent victory celebrated by Maryland law librarians when the Law Library Association of Maryland (LLAM) and the Maryland Library Association (MLA) defeated two bills that would have cut funding to circuit court libraries. Finally, GRC member Larry Meyer, Director of the Law Library for San Bernardino County in California, explained some of the unique problems faced by California county law libraries.



Following the panel discussion, our special guest speakers, Christy Splitt, Legislative Aide to Oregon State Rep. Ben Cannon, and Marjorie Taylor, Senior Policy Advisor for Oregon's Department of Administrative Services, took to the podium. Ms. Splitt and Ms. Taylor provided valuable inside tips on how to successfully advocate for issues important to law librarians. Some of these tips included building relationships with your legislators, becoming a knowledgeable resource for your legislator, and finding like-minded groups to join your cause.

Following the guest speakers' words of wisdom, participants chose one of three break-out sessions to focus on a particular issue. In the break-out session on funding and outreach for county, court, and government law librarians, participants discussed funding alternatives for county law libraries. They also discussed ways to improve the image of county law libraries to demonstrate their importance to the community. Participants in the authentication break-out session brainstormed how to find additional allies who have a stake in the need for authentication of online legal resources. Identified allies included state bar associations, other library groups, and the Association of Reporters of Judicial Decisions. This group also discussed strategy, highlighting the necessity of telling stories to illustrate the importance of authenticated legal materials. Participants in the third break-out session talked with Ms. Splitt and Ms. Taylor about additional ways to advocate for law libraries. Our guest speakers stressed the importance of knowing your issues, being able to explain your issues concisely and in simple terms, and using personal examples to illustrate the importance of your cause.

At the end of the training, the groups shared what they learned with their colleagues. The training ended with closing remarks from Scott Matheson. The Legislative Advocacy Leadership Training allowed AALL members to network with each other, learn new skills, and increase their confidence to advocate for law libraries. We hope that many of you will join us next year in Washington, DC!

Annual Legislative and Regulatory Update

On Tuesday, July 15, AALL's Government Relations Committee held its Annual Legislative and Regulatory Update. This year, GRC Chair Scott Matheson presented two special awards. First, we celebrated the legacy of Bob Oakley by honoring him as the first recipient of the new [AALL Member Advocacy Award](#). The new award, to be named the Robert L. Oakley Member Advocacy Award, will be given annually to one of our members who has been an outstanding advocate for law libraries and legal information at the federal, state or local level. We were especially pleased that Barbara Oakley, Bob's widow, and his two children, Daniel and Ester, were present to accept the award.

Scott also presented the 2008 [Public Access to Government Information \(PAGI\) Award](#) to [OMB Watch](#), whose Executive Director, [Gary Bass](#), was our guest speaker this year. Bass rewarded us with a motivating presentation, encouraging attendees to start a dialogue about what they want for the future of public access. He also laid out 5 points to achieve an Affirmative "Right to Know" Policy:

1. Shift to a Presumption of Openness
2. Change Practice of Disclosure
3. Change Culture of Disclosure
4. Apply New Policies Across Government
5. Archiving

Mr. Bass's power point presentation is now [available on our web site](#).

Following Mr. Bass's dynamic presentation, Copyright Committee Chair Keith Ann Stiverson provided an important update on the copyright issues covered by the committee in the past year and those they will be working on in the year ahead. Because of Congress's priority on patent reform during the past year, the big issues for the Copyright Committee have been orphan works and the Section 108 study group report. "Orphan works" refers to the large volume of works that are likely still protected by copyright although their owners cannot be located after a reasonable effort. New legislation to address orphan works was introduced this spring, but the bills, [H.R. 5889](#) and [S. 2913](#), have many problematic provisions that will make searches for orphan works very costly and time-consuming for libraries, especially when it comes to mass digitization projects. In the year ahead, the Committee plans to continue monitoring orphan works and analyze the recommendations of the [Sec. 108 report](#).



After Ms. Stiverson's presentation, Mary Alice Baish provided an update from the Washington Affairs Office, outlining the past year's successes and the challenges ahead. Some of the successes included Congressional oversight hearings on a number of important issues; then-AALL President Ann Fessenden and ABA leaders testifying at the Library of Congress oversight hearing on funding for the Law Library; the enactment of the OPEN Government Act of 2007 ([P.L. 110-175](#)); and Congress' order to EPA to reopen its 5 closed libraries. Looking ahead through the end of the year, Mary Alice noted the importance of improved funding for the Law Library of Congress (see our [Action Alert](#)) and the Federal Depository Library Program (FDLP); continuing our collaboration with GPO to develop incentives for a robust 21st Century FDLP; and working with the new Electronic Legal Information Access & Citation (ELIAC) Committee on digital authentication and citation issues. Mary Alice's slides are [available on the Washington Affairs Office web site](#).

FY 2009 Legislative Branch Appropriations Bills Stalled

With the August recess around the corner, we are concerned that the FY 2009 funding bills for legislative branch agencies, including the Government Printing Office (GPO) and the Library of Congress, have yet to be marked up and reported. Normally this would happen in late June. In May, Acting Washington Affairs Representative Mary Alice Baish [testified](#) in support of full funding for GPO before the House Legislative Branch Subcommittee. In addition, AALL submitted a [letter](#) in support of the FY 2009 funding needs of the Law Library of Congress. We expect Congress to follow the pattern of the past few years and pass continuing resolutions and, eventually, an omnibus bill to keep the government running after October 1. The Washington Affairs Office will continue to monitor developments because each year, floor amendments are offered to eliminate funding for GPO's important congressional publications, such as the print daily *Congressional Record*. Stay tuned.

Minnesota Historical Society: White Paper on Authentication of State Online Primary Legal Material

The Minnesota Historical Society's project team on Preserving State Government Digital Information has released a draft [white paper](#) that summarizes current discussion about authentication of digital material, including state's online primary legal materials. This white paper, *A Model Technological and Social Architecture for the Preservation of State Government Digital Information*, stems from a National Digital Information Infrastructure and Preservation Program grant. Minnesota's Revisor of Statutes Michele Timmons, who attended AALL's [National Summit on Digital Authentication](#) in April 2007, was a major contributor to the white paper in defending the need for authentication technologies. We are very pleased that white paper quotes extensively from our [report](#) and findings.

AALL Thanks Congress, Asks for Clarification on Plans to Reopen EPA Libraries

In early July, AALL joined the Medical Library Association and the Special Libraries Association in sending a [letter](#) to Sen. [Barbara Boxer](#) (D-CA), Rep. [Bart Gordon](#) (D-TN-6), Rep. [John D. Dingell](#) (D-MI-15), and Rep. [Henry A. Waxman](#) (D-CA-30), Chairmen of the committees with jurisdiction over the Environmental Protection Agency (EPA). We thanked them for their opposition to the EPA library closures and expressed our continued concern over EPA's plan to reopen the agency's closed libraries. The letter outlines three major concerns stemming from EPA's [National Library Network Report to Congress](#): first, that EPA should further define the scope of the libraries' required core collections; second, that EPA should lay out the requirements for hiring knowledgeable professional staff; and third, that EPA must work with the relevant unions and other stakeholders to ensure adequate space for the libraries. We asked the four committee chairmen to urge EPA to clarify its plans on these three items.

Electronic Message Preservation Act ([H.R. 5811](#))

On July 9, the House of Representatives passed the *Electronic Message Preservation Act* ([H.R. 5811](#)) by a [vote of 286-137](#). The bill directs the Archivist of the United States to establish standards for the capture, management, retrieval, and preservation of White House e-mails and other electronic communications. AALL signed onto a [letter](#) to House Committee on Oversight and Government Reform Chairman [Henry A. Waxman](#) (D-CA-30) in support of the bill.

Last April, the Committee's Subcommittee on Information Policy, Census, and National Archives held a [hearing](#) on H.R. 5811. Witnesses included [Linda Koontz](#), Director of Information Management Issues, Government Accountability Office; [Paul M. Wester and Gary M. Stern](#), Director, Modern Records Program and General Counsel (respectively), National Archives and Records Administration; and [Partice McDermott](#), Director, OpenTheGovernment.org. As we reported in the [April edition](#) of the E-Bulletin, the hearing highlighted the need for regulations to help the White House and agencies modernize their recordkeeping and ensure proper maintenance and preservation of electronic records. [Video of the hearing](#) is available on the Subcommittee's web site.

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!

South Florida Chapter of AALL Strengthens Commitment to Advocacy

GRC member and newly-elected Vice President of the [South Florida Association of Law Libraries](#) (SFALL) Stephanie Hess informed us that the SFALL Executive Board has some exciting plans for the upcoming year. SFALL plans to broaden the chapter's role in promoting legislative advocacy for libraries at the local and national levels. The Executive Board discussed the possibilities of adding action alerts to the chapter's web site and newsletter and actively participating in various events such as the annual [Sunshine Week program](#) sponsored by AALL, OpenTheGovernment.org, and others. Thanks to SFALL for their commitment to advocacy; we'd love to see all our chapters equally engaged in our efforts!

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

Law Library of Congress Offers New Articles on Secrecy

The Law Library of Congress recently posted two new constitutional law items examining government secrecy. The first article, "[Secret Documents: Why Classify Legal Memos?](#)," by Louis Fisher was published in the July 14 issue of *National Law Journal* and focuses on the State Secrets Privilege. The article asks: "How can the rule of law be protected when policy is governed by secret legal memos?" The second, "[Extraordinary Rendition: The Price of Secrecy](#)," Louis Fisher, 57 Am. U. L. Rev. 1405 (2008), analyzes the source of authority for extradition, rendition, forcible abduction, and extraordinary rendition.

Report to Congress on Information Sharing Environment

The [Annual Report to the Congress on the Information Sharing Environment](#) (June 2008) describes the state of the Information Sharing Environment (ISE), highlights areas of progress in information sharing, and attempts to show the value of the ISE to the Nation's broader counterterrorism (CT) mission. The Report was prepared by the Program Manager (PM) of the ISE, whose office is located in the Office of the Director of National Intelligence.

If this report interests you, you may want to view a July 23 hearing held by the Senate Committee on Homeland Security and Governmental Affairs: [Information Sharing: Connecting the Dots at the Federal, State, and Local Levels](#) and read the related Government Accountability Office Report, [Information Sharing Environment: Definition of the Results to Be Achieved in Improving Terrorism-Related Information Sharing Is Needed to Guide Implementation and Assess Progress](#), GAO-08-492, June 25, 2008.

Thanks to [beSpecific](#) for these links.

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