



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

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## **SPECIAL ANNOUNCEMENTS**

### **The Government Relations Office Has Moved**

As AALL President Cathy Lemann announced in her first [E-newsletter](#), the AALL Government Relations Office recently moved to new office space at 25 Massachusetts Avenue, N.W., Suite 500, Washington, D.C. 20001. Our new offices are located just down the street from our previous space in the [Edward Bennett Williams Law Library](#) at the Georgetown University Law Center.

We send our sincere thanks to our friends at the Georgetown University Law Library for the many wonderful years we spent at the library. We are subleasing our new offices from the [National Association of Counties](#) (NACo), and we're very appreciative of the warm welcome we've received from our new colleagues.

Our new contact information is:

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## **UPDATES FROM THE HILL AND THE GOVERNMENT RELATIONS OFFICE**

### **Net Neutrality Picks Up Speed**

On July 31, 2009, Representatives [Edward Markey](#) (D-MA-7) and [Anna Eshoo](#) (D-CA-14) introduced the *Internet Freedom Preservation Act of 2009* ([H.R. 3458](#)). The bill would amend the [Communications Act of 1934](#) to establish a national broadband policy, safeguard consumer rights, and protect Network Neutrality (Net Neutrality).

Net Neutrality is a principle that ensures that all Internet traffic is treated equally. Recently, it has come under attack from telecommunication companies who would like to create a tiered system of broadband access in which companies could pay for premium access to faster data connections.

Net Neutrality was one of our priority issues for the 2009 *Day on the Hill*. Net Neutrality is important to AALL because law librarians are providers, creators and users of digital,

legal information. If telecommunications companies are allowed to create a tiered system, law libraries may not be able to pay the fees for preferred access.

AALL members asked their senators on the [Committee on Commerce, Science, and Transportation](#) and House representatives on the [Committee on Energy and Commerce](#) to introduce a Net Neutrality bill before the August recess and urged them to sign on as co-sponsors. We are very pleased that Reps. Markey and Eshoo introduced this bill in late July.

This month, in an encouraging demonstration of the Federal Communications Commission's (FCC) support for Net Neutrality, new FCC Chairman Genachowski told [The Hill](#), "One thing I would say so that there is no confusion out there is that this FCC will support Net Neutrality and will enforce any violation of Net Neutrality principles."

**Additional resources on Net Neutrality:**

GRC Member Ryan Saltz's Issue Brief on Net Neutrality:  
<http://www.aallnet.org/aallwash/ib122008.pdf>

Open Internet Coalition: <http://www.openinternetcoalition.org/>

Save the Internet: <http://www.savetheinternet.com/>

**New Issue Brief on USA PATRIOT Act Reauthorization and Section 215**

Government Relations Office member Susan Nevelow Mart wrote an excellent [Issue Brief](#) on Section 215 of the *USA PATRIOT Improvement and Reauthorization Act of 2005* (P.L. 109-177) that is posted on AALLNET. Section 215 allows the Federal Bureau of Investigation to require the production of "any tangible thing" (including books, records, papers, and documents) it claims is relevant to authorized foreign intelligence and international terrorism investigations. Section 215 orders come with a "gag order" which prevents the recipients of the court order from disclosing that fact to anyone other than the attorneys involved in the case and to those who need to know in order to comply with the order. Susan's Issue Brief includes a link to a useful [chart](#) she created that summarizes Section 215 and its impact on libraries as a result of the PATRIOT Act and its 2005 reauthorization.

Repeal of Section 215 was one of our priorities for the 2009 *Day on the Hill*. AALL's "[Statement to the Obama-Biden Transition Team](#)" articulates the Association's opposition to the reauthorization of Section 215, due to sunset on December 31, 2009. If repeal of Section 215 is not possible, we urge Congress to include in the reauthorization of the bill requirements that return to the pre-PATRIOT Act standard.

## **President Obama Nominates New Archivist of the United States**

On July 28, 2009, President Obama [announced](#) his intention to nominate David S. Ferriero as the next Archivist of the United States. Mr. Ferriero has an M.S. from the Simmons Graduate School of Library and Information Science, and he currently serves as the Andrew W. Mellon Director of the New York Public Libraries. He is highly qualified to lead the National Archives and Records Administration at this challenging moment in time, as more and more federal government information becomes increasingly electronic only. His nomination was welcomed by the historical research and library communities.

If confirmed by the Senate, Mr. Ferreiro will follow Allen Weinstein as Archivist of the United States. Mr. Weinstein resigned last December due to his declining health. Adrienne C. Thomas has been serving as Acting Archivist since that time.

## **The “Information Sharing Environment” Gets Another Look**

Last month, John Brennan, the assistant to the President for homeland security and counterterrorism, sent a memo to department heads announcing the appointment of the new White House Senior Director of Information Sharing Policy, Mike Resnick. Mr. Resnick will lead a review of the current status of activities aimed at establishing the Information Sharing Environment (ISE). The goal of the ISE is to ease information sharing in the government and rein in the various control markings used by agencies, such as “For Official Use Only,” “Official Use Only,” and “Limited Official Use.”

In 2008, AALL joined 33 organizations on a [letter](#) to Josh Bolton, White House Chief of Staff, asking for public input before the final issuance of new rules regarding Controlled Unclassified Information (CUI), as had been promised to open government groups for years. In 2003, AALL joined a [letter](#) to Thomas Ridge, Secretary of the Department of Homeland Security, to ask that he give the public an opportunity to comment on procedures that are being developed that may restrict the public dissemination of sensitive but unclassified information. Unfortunately, no public comment period was held.

Back in May 2008, President Bush released a presidential [memorandum](#) that created a tiered system of designations and establishes a framework for designating, marking, safeguarding, and disseminating designated information. AALL believes the memo did not do enough to address agencies’ penchant for creating and using sensitive but unclassified control markings.

Therefore, we support two bills introduced early in the 111<sup>th</sup> Congress, the *Reducing Over-classification Act of 2009* ([H.R. 553](#)) and *Over-Classification Reduction Act* ([H.R. 854](#)), which would require increased oversight and training to reduce over-classification and set up processes by which employees can challenge original classification decisions. H.R. 553 would apply only to the Department of Homeland Security (DHS), whereas H.R. 854 would apply across the federal government. H.R. 553 passed the House on February 3, 2009. H.R. 854 was reported (amended) by voice vote on February 11, 2009.

### **Further reading on classification and CUI:**

Steven Aftergood's *Secrecy News*: <http://www.fas.org/blog/secrecy/>

OMB Watch report, *Controlled Unclassified Information: Recommendations for Information Control Reform*:

<http://www.ombwatch.org/files/info/2009cuipt.pdf>

Former Director of the Information Security Oversight Office Bill Leonard's Blog: <http://www.secgov.info/>

## **OUTSIDE THE BELTWAY: CHAPTER NEWS**

### **Chapter Liaisons: Your Link to AALL's Government Relations Committee and Government Relations Office**

The Government Relations Committee (GRC) plays a crucial role in connecting our chapters and SISs with our policy efforts, both federal and state. To facilitate this important partnership, [GRC members serve as liaisons to chapters and SISs](#) and work with them throughout the year. This strengthens communication and allows us to monitor issues that arise at the state level as well. GRC liaisons will check in each month to find out if a chapter has any policy-related news to report. For example, we want to know if there's a bill you're tracking in the state legislature or if you're planning an event for the annual Sunshine Week in March. We also encourage you to send an update to the [Advocacy Listserv](#) with any news from your state. By communicating with the GRC, GRO, and your colleagues, we can ensure that an effective team of advocates is constantly working to fight for the interests of law libraries.

For additional tips on how you, your chapter and SIS colleagues can become more involved in AALL's advocacy efforts, please see the [AALL Advocacy Toolkit](#). Chapter 4 of the Toolkit is specifically geared toward chapters who want to start a chapter Government Relations Committee or get their committee more active.

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

#### **Federal Communications Commission's National Broadband Dialogue**

The Federal Communications Commission (FCC) recently adopted several initiatives to increase public engagement in the crafting of the new National Broadband Plan: The [Open Government Broadband Brainstorm](#), which invites the public to submit and vote on ideas; a series of [broadband workshops](#) (also available as webinars); and a new blog, [Blogband](#). This is an important effort so please feel free to weigh in on these discussions.

## **NextGov Turns Spotlight on Executive Branch, Judicial Openness**

Aliya Sternstein of *NextGov* [examines](#) whether the Obama Administration is more focused on increasing transparency in Congress than in the Executive Branch. In the article, Gary Bass, Executive Director of [OMB Watch](#), disagrees with this notion, arguing that efforts such as scientific integrity and regulatory reform, meetings to inject transparency into drug approval at the Food and Drug Administration, and improvements to the Environmental Protection Agency's reporting of toxic chemical releases illustrate Obama's commitment to opening up the Executive Branch.

Sternstein tackled openness at the Supreme Court in another [article](#) in *NextGov*. In April, the Supreme Court indicated in written [testimony](#) that it would like to revamp its Web site, moving beyond their old site run by the Government Printing Office. The Sunlight Foundation has put together a [mock-up redesign](#) of some the steps the Court could take immediately to update its Web site and increase transparency.

## **EPIC Urges Administration to Maintain Cookie Ban**

The Electronic Privacy Information Center (EPIC) submitted [comments](#) to the Office of Management and Budget (OMB) earlier this month recommending that the [existing ban](#) on the use of cookies at federal government Web sites be maintained. OMB is [considering a policy change](#) that will encourage tracking of users who visit government Web sites.

## **THOMAS Adds Two New RSS Feeds: House & Senate Floor Today**

The Law Library of Congress added two more RSS feeds for THOMAS: the [House Floor Today](#) and [Senate Floor Today](#). These feeds are now available as RSS feeds or email updates from THOMAS.

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