

GODORT Legislation I
January 18, 2002 3:00-5:00pm
Hotel Monteleone – La Nouvelle Orleans West
Laura Dickson, Chair
Janet Justis, Secretary

The Chair called the meeting called to order at 3:05p.m.

Attending: Committee Members: Laura Dickson (chair), Val

GPO has received full funding for the S&E appropriations, \$29.6 million.

S. 803 / E-Government:

McDermott reported that ALA has met with Kevin Landy regarding extensive changes made in the language of the original bill. OMB delayed a meeting scheduled earlier this week to discuss the legislation. Bill remains in limbo at present.

distributed tangible products from depository libraries) as well as electronic only publications disappearing from agency websites.

When discussing “take-down” issues, the committee kept coming back to whether or not we are ready for resolutions or whether we are still in an information gathering stage to identify information removed from the web after September 11th in light of concerns regarding terrorism. The shut down of the Dept. of Interior’s website because of a court order is non-related to the attacks of Sept. 11th, but affects access for citizens nonetheless. Dickson has been monitoring the situation recently and has posted information on Legislation’s webpage. It was suggested that the committee ask that Sherry DeDecker have FDTF review take-down issues and perhaps continue monitoring materials removed and creating lists for documentation. DeDecker explained that FDTF has a pretty full agenda, but that perhaps at tomorrow’s meeting the speakers addressing material that has been removed could comment on where that material is now and what would happen if a FOIA request were filed.

Evans suggested that when considering “take-down” the real issue may cease to be materials that have been removed from the web, and a greater concern might be that some information will never be put up at all. In essence “access” becomes the more critical concern.

Abbott Hoduski felt strongly that some action needs to be taken immediately. She suggested that perhaps a resolution could be done requesting a study and that ALA be asked to provide the funds necessary to cover research, legal opinions, and the development of policy statements.

Abbott Hoduski related a story from an earlier meeting of Freedom to Read where it was suggested that practical stories be shared showing the effects of removing information and how they affect citizens’ safety in daily activities. Cornwell added that he has a sense that Congress is more focused on issues surrounding terrorism than the loss of information and it’s affect on the average citizen. The discussion continued to evolve into a consensus that we try to find the balance between addressing issues concerning terrorism and the public’s right to know and the safety of that public. Kessler, Wolff and others suggested that we may need help from other groups to study and support this effort. Wolff suggested that perhaps we can recommend that ALA appoint an Ad Hoc Committee to ensure an inclusive approach.

Romans suggested that perhaps on the take-down issues there might be room for two resolutions. One an internal resolution which would reiterate ALA’s support regarding access to government information, and another to explain our position to outside groups.

In a similar discussion, Severson mentioned the recent request by Secretary Thompson that one CIO replace individual public information officials of various health and human services agencies. This would affect the direct contact and involvement of officials from agencies like the CDC, FDA, etc. It was suggested that this kind of situation merits watching and that the committee could choose to monitor webpages and lists as well as

follow the activities of various groups, e.g. MLA who are actively monitoring the situation.

On that same note, Swindells agreed to monitor developments on FRUS issues. Librarians and historians expressed concerns in 2001 when State explored the possibility of having the Indonesia volumes recalled, and later chose not to pursue the matter. Current concerns involve differences of opinion between State and the CIA for sharing information necessary in the creation of new series volumes.

After discussion, Swindells commented that it may be too soon to take a position on the USA Patriot Act and suggested that we follow updates as they occur. Abbott Hoduski commented that this Act has liability issues for all librarians who assist patrons in using government information particularly via tools like GPO Access. McDermott agreed that this is a question that needs to be asked, but commented that we don't know what the implications are at present. The incident in Arkansas where FBI agents visited depository libraries to investigate whether or not they had removed the USGS CD-ROM as instructed by GPO was used as an example of the complexities of this type of legislation. The FBI acted on its own without any request from GPO or USGS.

Cornwell asked if the group wished to endorse in principle the Draft Report on "Principles for the Networked World". Past GODORT Chair, Ann Miller, appointed Duncan Aldrich as the GODORT representative to this group. Since the report has not yet been brought to Steering, copies will be made for the committee's review at our next meeting. Hayes will also attempt to get additional information from Aldrich. The request to endorse in principle can be brought to GODORT Business on Monday. (Note: the report was posted to the Steering Committee reflector)

The committee agreed to focus on crafting two resolutions; one regarding E.O. 13233 and another reaffirming our commitment to access to government information. The committee also wishes to ask for the creation of an ALA Ad Hoc Committee to study take-down issues with emphasis on finding a balance between the public's right to know and security concerns. The issue of unintended consequences is also a factor. FRUS and changes in HHS policy regarding agency information officers merit monitoring and reporting.

The meeting was adjourned at 5:05pm.

Abbott Hoduski asked if the Washington Office has additional information, however, neither McDermott nor Baish/AALL has received detailed comments on the recent revisions of the bill. They believe this is just a normal result of other issues taking priorities since fall. McDermott suggested that perhaps we need to ask for indexing or listing of materials the agencies actually put up to address access issues. Lieberman does not appear to be interested in access issues.

Take-down issues: ALA Washington Office, OMB and others are watching sites and monitoring information that has been removed.

PubScience:

Baish reported there is no additional information on PubScience. Dickson reported that there is no mention of PubScience in the conference report. Baish believes they are trying to save the entire OSTI program, but no good news for PubScience.

Patent and Trademark Office:

McDermott and Baish met with officials at Patent and Trademark to discuss concerns when the press reported that patents were being destroyed. Clarifications as follows: Originals are given to the applicant. Masters are kept and preserved. Only multiple photocopies were actually being destroyed. This may have been a misunderstanding or a tempest in a teapot. Baish stated that PTO is committed to putting up as much information as possible on the web for the public.

Review of plan from GODORT Leg. I Meeting: Dickson reporting

- Resolution on E.O. 13233
- Resolution on access issues
- Ask that an ALA Ad Hoc Committee be formed to study take-down issues
- Follow up on HHS consolidation of public information officers

Jane Sessa, GIS, expressed concern regarding implications of the **Federal Tprilr0 Tw (Jane) Tj eeappla1voto**
gmovrn men shouldn.22te be copeetint with th

0 c T 6 7 3 3 . 0

Washington State Library (possible closure):Governor zeroed out funding in proposed state budget

Discussion if there is a role for this group:

Lynne Bradley asked if we've had a role in the past. WSL is the regional federal library and state depository. Hayes indicated he believes that similar issues regarding state depository programs have been addressed by ALA in the past. Weible added that this is

Recommend ALA Ad Hoc Committee be formed re: the take-down issues

What should this group do? Track sites, policy statements? Legal opinions?

ARL has already asked Tom Sussman to respond to a question on similar issues perhaps we could use parts of his report when it is made public.

GODORT Legislation will meet tomorrow at 8:30am to draft resolutions.

Meeting was adjourned at 4:00pm so that some members could attend the updates re:
USA Patriot Act

GODORT Legislation III
January 20, 2002 8:30-11:00am
Morial Convention Center, Room 263
Laura Dickson, Chair
Janet Justis, Secretary

Attending: Laura Dickson, Janet Justis, Susan Pinckard, Stephen Hayes, Geoffrey Swindells, Arlene Weible, Valerie Glenn, Larry Romans and Kevin Reynolds. Visitors: Patrice McDermott, Ridley Kessler, Fran Buckley, Mary Alice Baish and T.C. Evans.

The chair called the meeting to order at 8:40am.

Dickson updated members who missed yesterday's joint meeting with ALA/COL/GIS of

various approaches and to build consensus for the ALA Ad Hoc Committee. FDTF could always request that the GODORT Chair appoint a GODORT Ad Hoc Committee at a later time if needed for any reason.

Committee members then split into two groups to draft two resolutions:

- Resolution Concerning Government Information and Security
- Resolution Concerning Executive Order 13233, Further Implementation of the Presidential Records Act.

Additional work on the resolutions may occur early Monday morning when GODORT Legislation and ALA/COL/GIS meet. They will be presented at the GODORT Business meeting on Monday afternoon, and the Chair of GODORT Legislation will ask GODORT membership to endorse in principle.

Meeting was adjourned around 11:45am.

GODORT Legislation IV (joint meeting with GIS)

January 21, 2002 9:30-11:00am

Memorial Convention Center, Room 348

Gary Cornwell, Chair GIS

Laura Dickson, Chair GODORT

Janet Justis, Secretary

Cornwell called the meeting to order at 9:40am.

Attending: GIS: Gary Cornwell, Chair; Ann Miller, Jane Sessa, Robert Walter;
GODORT: Laura Dickson, Chair; Janet Justis, Geoff Swindells, Valerie Glenn, Arlene Weible and Kevin Reynolds.

Visitors: Mary Alice Baish, Patrice McDermott, Ridley Kessler, Francis Buckley, Cindi Wolff, T.C. Evans and Andrea Sevetson.

Dickson asked GODORT Legislation to review the two resolutions from SRRT: “Resolution on Collection Development and Library Programming in Times of Conflict” and “Resolution on the Protection of Privacy Rights”. Kessler, Weible, Walter, and Swindells are concerned that the language is not carefully crafted and does not support the concerns effectively. Swindells moved, Justis seconded and committee voted not to endorse in principle. GIS Walter moved, McDermott & Baish seconded, committee voted not to endorse in principle.

Discussion of resolution “On threats to intellectual freedom arising from the US government response to terrorist attacks” from the Intellectual Freedom Round Table. Weible moved, Swindells seconded and GODORT members voted to endorse in principle. Dickson will take the issue to GODORT Business for discussion and report. GIS discussion: Walter and Baish expressed concerned that we don’t know exactly who drafted the resolution and felt that the draft is not well written. Baish was also concerned about RESOLVED #4 regarding proper response to legitimate warrant or court order. GIS differed vote.

Formation of an Ad Hoc Committee:

Questions and discussions involved how the committee should be appointed: by the ALA President or some other entity in ALA.

After discussion, Cornwell recommended this compromise: GODORT Legislation and the Subcommittee on Government Information (ALA/COL/GIS) recommend that the

Most of the meeting was spent editing and endorsing the resolutions.

The committee endorsed three resolutions during conference.

- Resolution Concerning Government Information and Security
- Resolution Concerning Executive Order 13233, Further Implementation of the Presidential Records Act
- Resolution on the Federal Activities Inventory Reform Act (FAIR Act) P.L. 105-270 (FAFLRT/GIS)

Adjourned 11:15am