Recent literature on government information

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Abstract

The purpose of this column is to provide government information scholars and students with a broad overview of recent publications about government information from the literature of librarianship, archives, information technology management, public policy, and law. Given the volume of literature produced in this field, a columnist cannot claim comprehensive coverage. This column seeks to provide a broad, representative survey of literature that illustrates significant trends in the field.

Entries were identified through searches of bibliographic databases such as Library Literature, PAIS International, Ebsco Academic Elite, The Index to Legal Periodicals and Books, Science Direct, Westlaw’s JLR database, WorldCat, and from manual scans of journals, newsletters, and Internet sites. Citations are to monographs and serials, journal and periodical articles, books, newsletters, and Internet sites. Coverage for this edition of the column includes items from both 2001 and 2002. Each citation is listed once under its primary topic and annotated if its content cannot be adequately determined from the title. Book reviews and Internet site reviews are generally excluded.

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1. Freedom of information/secrecy

Two years ago, a major theme in the literature of government information was a growing concern about how to ensure permanent public access to government information in an electronic future. Since September 11, 2001, and the advent of the “war on terrorism,” governments at all levels have become more vigilant about what government information is accessible to the public. Within the U.S. federal government, the Bush administration, even prior to September 11, had moved to tighten access to certain types of government information through a variety of mechanisms; since then, access has become even more limited (Blum, 2002; Meek, 2002).

One form this has taken is a revised Freedom of Information Act (FOIA) process prepared by U.S. Attorney General Ashcroft’s office and issued shortly after September 11. So far, this FOIA change has had limited influence, but critics maintain the change carries the potential to limit the ability of the general public to keep watch on exactly how elected officials govern (National Security Archive, 2003). The creation of a new cabinet level department to coordinate homeland security also promised the potential to claim private sector information to be critical to the national defense and not available to the public, even through the FOIA, in many instances, already provided substantial protections for business- and industry-related data that had been provided to the federal government.

These provisions have raised the hackles of safety and environmental activists around the country and even has, as asserted by Common Cause, the potential to hinder the ability of the government to police violations of federal environmental laws (Common Cause, 2003). This portion of the legislation—Section 214—is currently facing a challenge from Senators Leahy, Levin, Jeffords, Byrd, and Lieberman (S. 609, 2003).

In the Federal Depository Library Program (FDLP), the official public distribution arm of the U.S. Government Printing Office, there has been only one official request to remove and destroy a publication, but GPO has reminded the depository community that more can be required if an agency requests such an action (U.S. Government Printing Office, 2002). Others in the library community, in a well intentioned but misguided effort to provide protection in their particular community, have attempted to impose limitations of their own on publicly available information. The institutions involved have been alerted by GPO that such a course of action for federally provided information is inappropriate (Kniffel, 2002). These events, coupled with the loss of PubScience, recent threats to the ERIC system, and the purging of the Department of Education homepage—along with numerous efforts to curtail access to information at the state level—should serve as a wake-up call that access to information as it existed prior to January 1, 2000, is in danger.

Outside of the United States, other governmental entities are also grappling with many of the same issues and challenges. In Canada, efforts to change the enforcement mechanisms of the Access to Information Act have been discussed; while at the other end of the spectrum, Mexico, in 2002, passed its first ever national freedom of information legislation (Alasdair, 2002; Mexico passes landmark FOI law, 2002).
While it would be hard to argue, given the current international environment, that some closer attention to what information is gathered and distributed is not unwarranted, it is also clear—as the numerous articles cited below demonstrate—that many governmental organizations have seized the initiative to limit access to information that citizens need in order to remain informed, productive, and safe. As information professionals, we must continue to monitor these changes and, when appropriate to the situation, work for fewer limits and more access.

2. Electronic government

In L. Elaine Halchin’s excellent article, “Electronic government in the age of terrorism,” she suggests that the effort to secure Internet sites and to scrub potentially dangerous information from these sites is at odds with the purpose of providing citizens access to government information electronically (Halchin, 2002). Still, governments around the world appear to be committed to e-government. As the survey conducted by the Pew Internet and American Life Project illustrates, more and more citizens desire and expect to conduct basic interactions with government agencies via the Internet (Larsen, 2002). The passage in late 2002 of Public Law 107–347, “The Electronic Government Act of 2002,” illustrates the commitment of Washington—despite President Bush’s sometimes inconsistent support of the effort—to develop electronic government services (P.L. 107–347, 2002).

Do e-government sites actually provide the types of services that citizens need and desire? There is substantial documentation to suggest that, as yet, they do not (Scott-Cree, 2002). Still, governments at all levels and in a wide range of nations have made significant commitments in staffing, finances, and technology in order to develop and improve the delivery of e-government services to its citizens. This can be seen in efforts in the United States, United Kingdom (E-government, 2002), South Africa, and in Japan (Lor, 2002; Thompson, 2002). At the state level, e-government initiatives from New York to California have proliferated (State University, 2002). The implementation of electronic government services may be slowed in the next several years as governments, information professionals, and citizens alike strive to find the balance between access, security, and most importantly expectations; however, there should be no doubt that e-government services are here to stay.


From the outside looking in, it would appear to have been a difficult year for GPO. While the transition to a more electronic GPO continues and efforts to improve access develop secure data sites and create mechanisms to guarantee long-term public access tools are being explored, a broadside in the form of OMB memorandum M-02-07 saw GPO and the FDLP fighting a familiar battle for much of the year. The closing, in late 2002, of several GPO bookstores suggests that GPO is finally coming to grips with the reality of how government
information is accessed, and it is not in hard copy. The continued loss of FDLP participants has finally gained the attention of GPO. Hopefully, the work of the Depository Council’s Subcommittee on Attrition and Retention (SOAR) will provide some insights as to why participants are dropping out of the FDLP and guidance in how to respond to this trend (U.S. Government Printing Office, 2003a). The appointment of Bruce James, in 2002, to serve as Public Printer of the United States promises the potential to change the Government Printing Office radically. However, it is still too early to see or expect results. James has called upon the Depository Library community to engage in a conversation, at their April 2003 meeting in Reno, Nevada, regarding the future of the GPO (Government Printing Office, 2003b). With just 2 years until the next presidential election, it remains to be seen whether James’ plans for retooling GPO is the most appropriate course of action for GPO and information users, or will his efforts be seen as too little, too late.

4. Archives/history

Presidential Executive Order 13233: Further Implementation of the Presidential Records Act, issued in November 2001, saw the Bush administration attempting to explore many of the same executive privilege options that were employed by his predecessor, President Clinton (Exec. Order No. 13233, 2001). Most ominous was the decision to allow not only past presidents to block access, but also to allow the appointment of successive reviewers (heirs and/or trustees) who would have the power to block the release of the presidential papers beyond the life span of a particular president. E.O. 13233 also allows sitting Presidents to block the release of material from a predecessor’s term(s) of office. This practice was tested and approved by the U.S. District Court on April 2 when President Bush’s decision to block material in President Clinton’s files was upheld. The material, which President Clinton had intended to release, dealt with the many last minute pardons issued by the Clinton administration and would likely have provided much “grist for the Republican mill” had the information been made public (Lardner, 2002).

These additional “enhancements” to the Presidential Records Act, according to some parties involved in the dispute, exceed the original intent of the law and hinder access for scholars and researchers (Henson, 2001; Kumar, 2002). While efforts were underway at the end of the 107th Congress to restore the Presidential Records Act to the status it held prior to the November Executive Order, the effort failed to move forward. It remains to be seen whether the 108th Congress, now nominally Republican controlled, will have any interest in addressing this issue (H.R. 1493, 2003).

On the plus side, in the historical and government information community, the use of technology to create new digital tools from government information continued to grow—especially the Internet. These new initiatives continue to point the way for exploring the nexus of teaching history with government information (Arkansas, 2002).

Much has transpired in the government information community in the intervening months since this column last appeared. This essay, out of necessity, can only touch on a few of these issues and developments. As the column catches up in the next few issues, the columnist will
attempt to explore particular areas in greater detail. As always, any suggestions or recommendations for improvements are desired and welcomed.

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Archives/History/Libraries


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of the Presidential Records Act and the origin of EO 13233 and discusses the impact on historical research and the tensions between executive orders and statutes).


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**Electronic Government/Technology**


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Federal


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Government Printing Office


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International


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Secrecy/FOI


Blanton, T. (2002, July/August). The world’s right to know. Foreign Policy, 131, 50–58. (Description: How 26 different nations enacted freedom of information laws following the end of the cold war and the current status of these various measures).


Dunn, R. L. (2002, February). Whose right to know? Plant Engineering, 56(2), 10. (Description: Discusses the public availability of public records for industrial plants in the United States and the potential security problems this access could create in the face of increased terrorist threats).


how Congress established a right of public access to electronic information held by federal agencies. *Journalism & Mass Communication Quarterly*, 78(1), 45.


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**State/Local**


Local governments up and running on Web (2001, April). *Government Finance Review*, 17(2), 7. (Description: Reviews the results of a poll conducted by the International City/County Management Association and Public Technology Incorporated on local government Internet sites).


New Jersey gets new public records law. *Quill Magazine*, 90(2), 27.

Oklahoma Open Records Act covers e-mails (January/February, 2002). *Quill Magazine*, 90(1), 31. (Description: Discusses a decision by the Oklahoma A.G. to apply the Oklahoma Open Records Act to e-mail messages utilized in transaction state and local government business).


