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## What is Driving Federal Information Policy?

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My originally assigned topic for today was "Federal Information Policy", which seemed a little broad--like something you would take in college--and in twenty minutes, yet! I suggested narrowing it down to "What's Driving Federal Information Policy" and, while that is also way too broad for the time, I think we can walk through some of the forces that seem to be impelling the direction of the Federal Government's thinking on information policy. Maybe "impelling" is too strong a word. Some of the policy orientation does indeed seem "motivated" in the many meanings of that word, but some of it seems to be happening willy-nilly and without much forethought as to the implications, ramifications or repercussions.

It seems to me that there are five--maybe six--trends that are structuring the direction of Federal information policy. These are budgetary concerns, balance-of-powers issues, disintermediation, and two that tend to reinforce one another--lack of a broad constituency for information access concerns, and technological fascination. The possible sixth is disdain on the part of the cyberprivileged for those on the other side of the road (the information superhighway in this case).

### **Budgetary Concerns**

No one who has paid an ounce of attention for the last six months or a year should be surprised here. The dominant rhetoric all-around is leaner, more efficient government. What better way to make government information provision less expensive--to government agencies--than to put it up online. What wonderful cost-shifting that is: to the users and to intermediaries such as libraries. And, hey, it is not a tax or even a user-fee, because people can read it for free on the screen. In 1995, the House even passed legislation that would have effectively made bills, congressional reports and the Congressional Record available only electronically, by eliminating most of the printing and free distribution of paper versions.

In fairness to those agencies that are committed to getting the public's information out to them, it is an effective way to cut costs in light of shrinking budgets. And in the light of week-to-week Continuing Resolutions for many agencies, the public should probably be very

thankful that this technology is at-hand. And at least the Federal Government is precluded from doing what a number of states are doing: charging for access to all their electronically-available information, other than legislative and a few other categories. If we have time at the end, I will tell you how I think that the way the public has been constructed as "customers" feeds into this trend.

## **Balance-of-Powers**

This is a biggie for GPO and by implication for you here in this audience. The Clinton Administration, and others, are fixated on this issue of the legislative branch being able to tell the executive branch how to print (which tends to get blurred into what to print). A collateral issue appears to be the centralization--and one can read "in the legislative branch"--of information flow from agencies to the public. When OMB Watch and the Public Access Working Group have spoken to OMB about the need for some way to track, give intellectual access to, and disseminate government information over time, they nod and say "Yes, that is a concern." But it is a problem for them that that repository (physical and/or virtual) may continue to be GPO.

Having said that, though, they appear quite happy for GPO Access to be doing GILS for many executive branch agencies. This may be because, as structured, GILS is a search and retrieval tool only. For the most part, it does not get you to the information itself (only to meta- information) and control of the information, access to it and its dissemination remains with the agencies. Unfortunately, so does responsibility to maintaining that information and that access over time.

## **Technological Fascination and Disintermediation**

I want to consider these two together. As Bob Gellman correctly notes in his recent article in *Government Information Quarterly* (13:1), direct access to government information outside of the depository library system is expanding--for those with network access. For the cyberprivileged, there is, indeed, faster access to many important and useful sources of Federal information. The Federal Register is one source that comes immediately to my mind. I can tell you that, for the nonprofit community who have access to the Internet, this is a major event. Many people don't have time to go to their depository library, assuming they know what and where it is (a point to which I will return), so, to be able to access this crucial document online is a godsend.

But there is another side to this. The Federal Register is fairly easy to use, once you get the hang of it. Much of the information created and maintained by the Federal Government is not so nicely organized, or so easily found, however. I am a reasonably literate searcher and I have yet to be able to get the U.S. Code online to give me electronically the title and subsections I want. Moreover, there are masses of government information that are not necessarily going to be relevantly identified for public use simply because they are posted electronically. What is the online trans-Federal index going to be? Who is going to maintain it? Does anyone really believe GILS is going to fulfill this purpose? At a meeting last fall, Bruce McConnell of OIRA made a sardonic comment apropos of finding information online: "Why spend one hour in the library when you can spend six hours online looking for the same information?" To which I can only say, "Indeed."

Yes, disintermediation is happening, and it is happening for the budgetary--and balance-of-power--reasons stated above. It is also occurring, however, because of what I am calling technological fascination--literally, being mesmerized by the technology.

The technology I am referring to is the World Wide Web, with its pretty graphics and its fun hot- links. Not only does a large segment of the general public that has access to it seem enthralled by it, but, more portentously, a large segment of the Federal Information Resource Management community appears to be similarly entranced. I use all of these verbs consciously. Admittedly, cruising the Web can be fun, and you can find all sorts of interesting connections. And Thomas is really fantastic and the Speaker is to be praised for pushing it through and giving some of the public access that is more equivalent to what people in DC have. But, when we consider that the vast majority of the public do not have computers, much less modems--and not to mention an Internet link (which does not guarantee you a Web link)--we are talking about a very small minority that will be able to get access to government (or any other) information this way. When they get access to it, also, they may only be able to print it in straight text form, not with headings, and formatting and tables and graphs, if they have a printer at all.

I am a member of the GILS subgroup the only non-government person that comes to the Washington meetings. At one meeting, I was engaged in my usual harangue about ensuring that the public knows that you can get to GILS information without coming in over the Web.

GPO was talking about the relatively small proportion of the public access to GILS through GPO Access that is Web-generated and another agency (which shall remain nameless) said that they were only getting Web-generated hits. Well, GPO and I asked, is there any other way you have set up for the public to come in? The answer, of course, was "No." It is no big surprise, then, that the only ingress points from the public were Web. It had never occurred to this agency-- which has a lot of IRM responsibilities for the Federal Government--to set it up any other way, or even additional way.

At a recent GILS meeting, we were discussing a public brochure and this issue of how the public can get access to the GILS databases and how to ensure that ways other than Web are made available came up again. One agency person noted that the only way she can get her bosses to understand electronic access is by showing them the Web--because they can do that, they can point and click.

So, we have IRM types fascinated by the glamour of the Web in conjunction with policy makers who can only see the usefulness of electronic access if they are shown the Web, and we end up with a dynamic that leads to government information being only made available electronically (for all the reasons outlined earlier) and only being made available for those with Web access. And, except for a few of us public-interest types grouching in the wind, nobody much seems to care. Which brings me to the fifth dynamic.

### **.Lack of a Broad Constituency**

While I know that the library community is very good at mobilizing librarians, some board members and a segment of the public on library-related issues, and the Internet community is incredible at mobilizing on issues of privacy and censorship, there is a thundering lack of

interest on the topic of access to government-information-in-general and even less on issues of preventing information redlining, or the inability of sectors and segments of our society to get on the information superhighway. So, the poor, the disabled (many of whom cannot use the Web) and others are left out of the equations that go into building government information systems. One way of beginning to bring these perspectives and these needs into the discussion is through engagement with the community-based nonprofits that serve these communities.

Nonprofits are aware--albeit some only vaguely--that information, including, and in many cases especially, government information, is available electronically. As I mentioned, it is an absolute revelation to them that they can get to the Federal Register for free online. So, there is the germ of a constituency there, but it is a germ that has to be nurtured--with outreach, with some hand- holding, with possible provision of access.

Libraries have been very good at reaching out to the businesses in their communities; they have to become equally good at reaching out to and engaging with the nonprofits. I am not saying that this will yield fruit quickly (because I know from experience that it won't), but I am saying that unless it happens, unless Federal depository libraries and others ally themselves with the information have-nots and create a more broadly-based constituency for democratic access to government information, the trends identified previously are likely to carry us very far down an information superhighway that is effectively a toll road for most people. This more broadly- based constituency is also needed to counter what I have too often seen in the pronouncements of some former Hill and executive branch personnel and in the actions of agency IRM folks.

### **Disdain for the "Infortunates"**

Because the information have-nots are not online to complain about what they don't have, it seems that they simply don't matter. If an agency only gives electronic public access over the Web, but all the Web users like it, then no question arises about anyone else. A recent editorial in Government Computer News lambasted the standard underlying the GILS and held that "since the Web is ubiquitous," the GILS standard should be done away with. While I carry no torch for the GILS, the underlying premise here is thoroughly out-of-touch with the reality of most folks I know: the Web is by no means ubiquitous, except among the cyberprivileged. And, even if it were, that does not mean that it should drive policy. At least when I studied logic, is did not equal ought.

So, we have budgetary concerns, balance-of-powers issues, disintermediation and technological fascination, lack of a broad constituency for information access concerns, and, for some, disdain structuring the direction of Federal information policy. While we can all lobby--while we still are allowed to--on the first four, the only ones that we can really begin to create change with are the last two. By working together--libraries, public interest groups and nonprofits concerned with community--we can begin to create a voice that will answer the disdain and demand access to information created and maintained by or for our Federal Government for all members of the public, regardless of their cyberstatus.

