



ALA Washington Newsletter

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- Attachments: (1) "Less Access to Less Information By and About the U.S. Government: VI -- A 1985 Chronology: July-December;"
 (2) Status of Legislation Chart dated May 20, 1986.

Congressional Budget Resolution

Both the Senate and House have passed budget resolutions that meet the Gramm-Rudman-Hollings deficit targets for FY 1987, while still making education a funding priority. S.Con.Res. 120 and H.Con.Res. 337 must now go to a House-Senate conference committee. Both budgets differ from Administration proposals by scaling back defense increases, cutting domestic programs less, and raising a bit more new revenue. If funding and revenue measures based on these budget packages are later passed by Congress and signed by the President, a second round of Gramm-Rudman-Hollings across-the-board cuts could be avoided.

For budget Function 500, which is education (including libraries), training, employment and social services, the Senate-passed budget assumed \$33.25 billion; the House-passed version had \$33.75 billion. These levels would allow continuation of education and library programs at current services levels---that is, pre-G-R-H cuts plus inflation (about 5 percent). These assumptions are not binding on appropriations committees, however. The House Budget Committee report (H. Rept. 99-598) indicated that \$1.5 billion had been added for a number of high priority Function 500 programs, including libraries.

For postal revenue forgone, the Senate budget assumed a post-Gramm-Rudman-Hollings freeze level of \$716 million. The House assumed \$616 million. The President recommended zero. It is hoped that conferees will agree on a level that will prevent further preferred rate increases this year. For revenue sharing, neither House nor Senate assumed any funding after this year. The Senate said it could be continued six additional months if Congress extends the law and finds revenues to pay for it. The House said revenue sharing probably could be funded if Congress chooses to extend it.

The Senate acted first, passing late on May 1 by 66-29 a budget substitute crafted mainly by Senate Majority Leader Robert Dole (R-KS) and Budget Committee Chairman Pete Domenici (D-NM). The Senate then took a final vote on S.Con.Res. 120 as amended, and passed that 70-25. On April 23 the Senate had passed by 60-38 an amendment offered by Sens. Mark Andrews (R-ND) and Ernest Hollings (D-SC) with 29 other cosponsors to add \$1.2 billion (offset by revenues) to Function 500 so that education (and library) programs could be continued at current services levels. This amendment was incorporated into the final Senate budget package. Earlier that day the Senate also rejected by 14-83 an amendment that would have assumed elimination of 44 programs (including libraries and postal revenue forgone) that the President wanted to eliminate.

April 8 Library Legislative Day activity was evident, not just in the vote on the Andrews-Hollings amendment, but in Senators' remarks. Sen. Patrick Leahy (D-VT), in opposing the amendment to terminate 44 programs, said: "I cannot think of a greater threat to an enlightened America or an informed electorate than ending support for libraries---very often the center of knowledge and information in rural communities" (April 23 Congressional Record, p. S4736). Sen. Lowell Weicker (R-CT) quoted ALA data on 27 million illiterate adults in emphasizing the future costs of falling behind in education (April 23 CR, p. S4746). Sen. John Chafee (R-RI), speaking of the Andrews-Hollings amendment, pointed out:

...this amendment will assist Federal library programs, which are included in the education budget. In addition to the important traditional services they provide to readers, our libraries are making a strong effort to fight illiteracy, which prevents millions of Americans from leading full, self-sufficient lives. I believe that as we make our difficult budget choices, these are the kinds of programs we must view as critical, and worth fighting for. (April 23 CR, p. S4751)

House Democrats, preferring to let the Senate take the heat on meeting deficit reduction targets by including new revenues (which do not include increasing individual income taxes), waited until after Senate passage, then acted quickly. The House on May 15 voted down a Republican alternative budget, then passed the Budget Committee's package by 245-179, mainly along party lines.

THANKS NEEDED: Both S.Con.Res. 120 and H.Con.Res. 337 set a very high priority on education and libraries, and should enable preferred postal rates to continue without increases. The key Senate vote is on the Andrews-Hollings amendment, April 23 Congressional Record, p. S4754; the key House vote was on final passage, May 15 CR, pp. H2836-37. Thank your legislators who voted yes.

Appropriations, FY 1987

ALA Washington Office Director Eileen Cooke testified May 15 before the Senate Labor-HHS-Education Appropriations Subcommittee on funding for federal library programs. Under the speeded-up budget process set by the Gramm-Rudman-Hollings legislation, the House Appropriations Committee is supposed to complete action on all funding bills by June 10, with House floor action completed by June 30. Although those deadlines are unlikely to be met, appropriations subcommittees will soon start making their recommendations for funding for specific programs, now that the House and Senate have passed budget resolutions.

ACTION NEEDED: Congress will be on recess from May 22 - June 3. This is an excellent time to reinforce Legislative Day visits, particularly to contact members of the L-HHS-ED, postal, and legislative (for LC and GPO) appropriations subcommit-

tees. See lists of these subcommittees attached to the March 17 newsletter. Note that Rep. Mollohan (D-WV) replaces the deceased Rep. Addabbo (D-NY) on the House Appropriations Committee.

Telecommunications

Sen. Larry Pressler's letter to Federal Communications Commission Chairman Mark Fowler on the continuing problems libraries face in connection with AT&T private line tariffs was delivered May 2 with a total of 29 Senate signatures. Points made in the letter were (1) the impact on library services of significant rate increases over a short period of time, (2) the difficulties the process of multiple filings causes for libraries, (3) the abuse of FCC's due process system by the carrier, and (4) the problems with the process utilized by AT&T to allocate costs and estimate data.

THANKS NEEDED: Previous joint letters sent by Sen. Pressler (R-SD) on this subject in 1984 and 1985 had 27 and 28 signatures, so the latest letter was very successful. Thanks should go to Sen. Pressler; constituents should also thank the following Senate cosigners:

Mark Andrews (R-ND)	Carl Levin (D-MI)
Max Baucus (D-MT)	John Melcher (D-MT)
Rudy Boschwitz (R-MN)	Howard Metzenbaum (D-OH)
Bill Bradley (D-NJ)	George Mitchell (D-ME)
Dale Bumpers (D-AR)	Daniel Moynihan (D-NY)
Quentin Burdick (D-ND)	Don Nickles (R-OK)
Alan Dixon (D-IL)	Sam Nunn (D-GA)
Dave Durenberger (R-MN)	David Pryor (D-AR)
Thomas Eagleton (D-MO)	Dan Quayle (R-IN)
Daniel Evans (R-WA)	Paul Sarbanes (D-MD)
Wendell Ford (D-KY)	Paul Simon (D-IL)
John Glenn (D-OH)	Robert Stafford (R-VT)
Albert Gore, Jr. (D-TN)	John Stennis (D-MS)
Chic Hecht (R-NV)	Edward Zorinsky (D-NE)

Congressional Documents Access

Several target dates have come and gone for implementing a sales program for congressional documents. House and Senate bills, reports, and public laws were to be sold to the public, instead of being available free in the House and Senate Documents Rooms. Legislators were informed this was in the works as a result of the Gramm-Rudman-Hollings cuts in a March 14 letter from the Joint Committee on Printing. However, public reaction caused JCP Chairman Sen. Charles Mathias (R-MD) to hold up a decision while he considered options, such as one free copy with additional copies at a price. Meanwhile, on April 14 the Government Printing Office began selling congressional committee prints and hearing records. Apparently, this procedure will not be changed.

ALA Washington Office Director Eileen Cooke wrote to JCP March 26 protesting the proposed policy change on the grounds that in a democracy, active and timely participation in the legislative process should not depend on the ability to pay for basic documents. Cooke sent a letter May 6 to every Senator and Representative urging them to ask JCP to reconsider. Other groups have also protested, and there has been increasing publicity about the proposal in Washington, D.C., area newspapers.

Library of Congress

ALA President Beverly Lynch testified for a second time May 7 on the impact of Library of Congress budget cuts on the nation's libraries. The Joint Committee on the Library, chaired by Rep. Frank Annunzio (D-IL), held the oversight hearing to focus on the public impact of reductions in LC services resulting from an \$18 million cut in the '86 budget due to first, a congressional appropriations cut of 3.5 percent, and second, a Gramm-Rudman-Hollings deficit reduction cut of 4.3 percent.

Lynch, who had earlier protested the cuts at a House appropriations hearing March 4, noted that the cuts were insidious, visible only over a period of time, but nevertheless devastating in their effects on libraries because of the dependence of the U.S. library community on LC's expertise in cataloging, its primacy in foreign acquisitions, its leadership in preservation, automation and technological development, and its books for the blind program for which there is no alternative. Attached to her testimony were excerpts from comments of librarians and user groups from around the country on the impact of the cuts. Lynch appeared on a library panel with Association of Research Libraries Executive Director Shirley Echelman, and Georgetown University Law Center Library Director Robert Oakley.

A panel of academic witnesses included American Historical Association Executive Director Samuel Gammon, Johns Hopkins University History Department Chairman A.J.R. Russell-Wood, and George Washington University professor, science consultant, and former congressional aide William Wells, Jr. A general public panel included a writer, an attorney, a graduate student, and a representative of the Books Not Bombs group which has been protesting the reduction in Sunday and evening hours of service. From a variety of viewpoints, the witnesses paid eloquent tribute to the importance of the Library to research and scholarship.

The hearing began with statements by Librarian of Congress Daniel Boorstin and newly appointed Congressional Research Service Director Joseph Ross. Boorstin said he had tried to balance the cuts among the Library's "three constituencies---the illustrious dead, the vocal living, and the voiceless unborn." He was questioned closely by Reps. Gingrich (R-GA) and Frenzel (R-MN) about cutting reading rooms hours by one-third. Gingrich suggested a visiting panel of librarians and scholars to rethink the hours-of-service decision. Boorstin replied that he would always welcome suggestions, but that it was inappropriate for him to abdicate decisions to anyone else. Other legislators at the hearing were Sen. Pell (D-RI), and Reps. Swift (D-WA) and Oaker (D-OH). Boorstin's statement was inserted in the May 15 Congressional Record, pp. H2862-63, by Rep. Annunzio.

National School Library Month

President Reagan issued Proclamation 5464 on April 22 proclaiming April 1986 as National School Library Month, implementing S.J.Res. 52 (PL 99-273). "School libraries and their dedicated staffs make an incalculable contribution to our educational system," he said. See April 24 Federal Register, p. 15453, for the full text.

National Reading is Fun Week

Noting the 66 million young people who "need encouragement and direction to improve their reading skills to the point where they can become functionally literate," and paying tribute to over 100,000 volunteers who work with young people, President Reagan issued Proclamation 5469 on April 24. In accordance with S.J.Res. 286 (PL 99-281), it designated April 20-26, 1986, as "National Reading is Fun Week."

NTIS Privatization Study

The Commerce Department is conducting a study of alternatives for privatizing the National Technical Information Service. The April 28 Federal Register notice (pp. 15868-70), includes a description of NTIS, privatization alternatives (discontinuing NTIS completely, selling or contracting out all or portions, establishing a public or private special-purpose organization), and a list of ten key issues. Detailed information about the agency's activities, costs, sales volume, products, and source agencies will be sent to interested parties.

INPUT NEEDED: Comments are particularly invited from several classes, including customers for whom NTIS products and services provide access to U.S. and foreign government scientific and technical information. This category would certainly include libraries. The notice requested public comment by May 28, but NTIS officials indicate that comments received by June 10 will be considered. For further information, contact NTIS Deputy Director Joseph Clark, Rm. 4824, Dept. of Commerce, Washington, DC, 20230 (703/487-4612). The ALA Washington Office would appreciate reactions from librarians immediately as it prepares ALA comments.

Copyright - Manufacturing Clause

ALA witness and consulting economist Robert Frase was scheduled to testify May 22 at a House copyright subcommittee hearing on the manufacturing clause of the copyright law. The clause, due to expire July 1, 1986, applies in essence to books by American authors, who lose their U.S. copyright protection and may have their books barred from the U.S. if they are printed abroad. ALA's position is in favor of letting the clause expire, and in opposition to the pending House bills, HR 3465 and HR 4696, which in one way or another would make the manufacturing clause permanent. Similar ALA testimony was presented for the record at a Senate hearing January 21 on S. 1822 and S. 1938.

ALA's testimony noted particularly the effect of a permanent manufacturing clause on illustrated children's books by American authors, now more frequently printed abroad than almost any category of book. These would either be reduced in number and raised in price, or give way to similar books by foreign authors printed abroad.

The Administration opposes extending the manufacturing clause, but the printing industry is pushing hard for extension, and Congress has a tendency to take a protectionist stance when the U.S. trade balance is unfavorable. If Congress felt some action was required, the ALA statement urged that it go no further than a simple and temporary extension.

Presidential Libraries

Congress has given final approval and sent to the President, HR 1349, to reduce the taxpayer costs associated with Presidential libraries and to strengthen the role played by the U.S. Archivist. The bill would require the Archivist to promulgate minimum standards of archival suitability which future Presidential libraries would have to meet. The private donation to the federal government of a building to be used as a Presidential library must be accompanied by an endowment equal to at least 20 percent of the cost of building and equipping the facility. Larger endowments would be required for facilities over 70,000 square feet, and for additions or modifications. At present, the government assumes the entire cost of maintaining such facilities once donated. The new requirements would apply to all Presidents after President Reagan. The House passed the bill last June; the Senate passed a modified version March 21, and the House agreed to the Senate amendment May 13.

Government Reports & Studies

Intellectual Property. The Congressional Office of Technology Assessment announced April 16 a new report, "Intellectual Property Rights in an Age of Electronics and Information," at a hearing of House and Senate copyright subcommittees. The report is \$15.00 from GPO SuDocs, Washington, DC, 20402 (Stock No. 052-003-01036-4).

Electronic Information. The House Government Operations Committee issued April 29 a report, "Electronic Collection and Dissemination of Information by Federal Agencies: A Policy Overview." H. Rept. 99-560 is available (at least for now) from the House Document Room, H226 The Capitol, Washington, DC, 20515.

ERIC to be Studied. Chester E. Finn Jr., Assistant Secretary of Education for Educational Research and Improvement, has appointed a panel to study the Educational Resources Information Center (ERIC) to improve data dissemination and reach a wider audience. The panel includes John Collins, Graduate School of Education Librarian at Harvard University, and Anne Mathews, the Education Department's Director of Library Programs. Public comments will be accepted to July 1 by Elizabeth Payer or Pat Coulter, Information Services, Department of Education, Washington, DC, 20208.

FIPSE Seeks Comments. The Fund for the Improvement of Postsecondary Education (FIPSE) is seeking suggestions to improve its annual guidelines outlining areas of postsecondary education needing reform. FIPSE supports innovative projects through grants (some have gone to libraries). To read the guidelines and respond, contact FIPSE, 7th & D Sts., SW, Rm. 3100, Washington, DC, 20202-3331 (202/245-8091).

National Endowment for the Humanities Grant Deadlines

<u>Program</u>	<u>Deadline</u>	<u>Contact</u>	
Humanities Projects in Libraries	Sep 19, 1986	Thomas Phelps	202/786-0271
Youth Projects (last grants)	Jun 13, 1986	Kathleen Gallagher	786-0271
Humanities Projects in Media	Sep 18, 1986	James Dougherty	786-0278
Humanities Programs for Nontraditional Learners	Oct 1, 1986	Christine Kalke	786-0384
Travel to Collections	Jul 15, 1986	Gary Messinger	786-0463
Office of Preservation:			
Preservation	Jun 1 & Dec 1, 1986	Steven Mansbach	786-0570
U. S. Newspaper Program	Jun 1 & Dec 1, 1986	Jeffrey Field	786-0570
Central Disciplines in Undergraduate Education:			
Improving Introductory Courses	Oct 1, 1986	Lyn White	786-0380
Promoting Excellence in a Field	Oct 1, 1986	Judith Ginsberg	786-0380
Fostering Coherence Throughout an Institution	Oct 1, 1986	Martha Crunkleton	786-0380
Reference Materials and Texts:			
Tools	Nov 1, 1986	Helen Aguera	786-0358
Editions	Jun 1, 1986	Margot Backas	786-0207
Translations	Jun 1, 1986	Susan Mango	786-0207
Office of Challenge Grants	May 1, 1987	James Blessing	786-0361

Guidelines are available from the Public Affairs Office, NEH, 1100 Pennsylvania Ave., N.W., Washington, DC, 20506, two months in advance of the application deadline. Telecommunications Device for the Deaf: 202/786-0282.

Fair Labor Standards Act

The Labor Department has issued draft regulations to implement changes to the Fair Labor Standards Act made by Congress last year (PL 99-150). See the April 18 Federal Register, pp. 13402-21. Comments are due June 2. Most non-exempt state and local public employees are now covered under the FLSA. The proposed regulations provide guidance in such areas as compensatory time at the time-and-a-half rate in lieu of overtime pay for hours over 40 per week, the use of volunteers without having them considered employees under the FLSA, and so on.

!!! ALA CONFERENCE ALERT !!!
June 28 - July 3, 1986, New York City

Saturday, June 28
9:30 a.m.-12:30 p.m.
N.Y. Hilton Hotel
Grand Ballroom West

State Legislative Networks Workshop
Chapter Relations Com./ALA Legis. Com./Chapter
Conclave. With NYLA's Ruth Fraley, Dick Panz,
Pat Mautino, New York Assemblyman Ed Sullivan.

Saturday, June 28
9:30 a.m.-12:30 p.m.
Conv. Ctr. Rm. 1D-04

Federal Librarians Round Table, on federal
issues, Gramm-Rudman-Hollings cuts, with Rep.
Major Owens (D-NY), Glen Zimmerman, Jim Riley.

Saturday, June 28
2:00-4:00 p.m.
Convention Center
Room 1E-07/08

Who Will Lobby for Youth Libraries? I Will!
ALSC Legislation Committee/YASD/AASL/PLA.
Speakers: Joan Blumenstein, William Doswell,
Will Manley, Barbara Will Razzano.

Saturday, June 28
2:00-4:00 p.m.
Conv. Ctr. Rm. 1E-17

Legis. Com.'s Ad Hoc Copyright Subcommittee with
Chapter liaisons. Speaker: Linda Garcia,
Congr. Office of Technology Assessment.

Sunday, June 29
2:00-4:00 p.m.
Convention Center
Room 1E-09/10/11

Legislation Committee's Information Update
Speakers:
Eileen Cooke, ALA Washington Office Director
Update on federal funding, other legis. issues
Linda Garcia, Proj. Dir., "Intellectual Property
Rights in an Age of Electronics & Information,"
Congr. Office of Technology Assessment
Robert Gellman, Counsel, House Subcom. on Govt.
Information, "Electronic Collection & Dissemi-
nation of Information by Federal Agencies: A
Policy Overview"

Monday, June 30
9:30 a.m.-12:30 p.m.
Hilton, Grand Ballroom East

The Coming Electronic Government: Preparing for
the Electronic Depository. Government Documents
Round Table.

Monday, June 30
2:00-4:00 p.m.
Penta Hotel, Gold Ballroom

Gramm-Rudman-Hollings: Implications for Federal
Distrib. Services. Map & Geography Round Table,
Govt. Docs. Round Table.

Tuesday, July 1
9:30-11:00 a.m.
Hilton Hotel
Sutton Parlor South

Library of Congress Network Advisory Committee
"In Search of a Common Vision for Nationwide
Networking," with Henriette Avram,
Frank Grisham, Mary Ghikas.

LESS ACCESS TO LESS INFORMATION
BY AND ABOUT THE U.S. GOVERNMENT: VI

A 1985 Chronology: July - December

The issuance of the Office of Management and Budget (OMB) Circular A-130, Management of Federal Information Resources, on December 12 is a landmark for those monitoring the continuing pattern of the federal government to restrict government publications and information dissemination activities. This circular will have a significant impact on the extent and quality of federal information which will be available to policy makers and to the public. The public should pay careful attention to the implementation of this circular, and urge Members of Congress to do so. The final circular requires cost-benefit analysis of government information activities, "maximum feasible reliance on the private sector" for the dissemination of government information products and services, and cost recovery through user charges where appropriate. The likely result is an acceleration of the current trend to commercialize and privatize government information.

A policy has emerged which is less than sympathetic to the principles of freedom of access to information as librarians advocate them. A combination of specific policy decisions, the current Administration's interpretations and implementations of the 1980 Paperwork Reduction Act (PL 96-511), implementation of the Grace Commission recommendations and agency budget cuts significantly limit access to public documents and statistics.

The accelerating tendency of federal agencies to use computer and telecommunications technologies for data collection, storage, retrieval and dissemination has major implications for public access. While automation clearly offers promises of savings, will public access to government information be further restricted for people who cannot afford computers or cannot pay for computer time? A few of the factors which will influence the answer to this question are: contractual arrangements with commercial firms to disseminate information collected at taxpayer expense, increased user charges for government information, the trend toward having increasing amounts of government information available in electronic format only and the elimination of the printed version.

ALA reaffirmed its long-standing conviction that open government is vital to a democracy in a resolution passed by Council in January 1984 which stated that "there should be equal and ready access to data collected, compiled, produced, and published in any format by the government of the United States." In January 1985, Council established an Ad Hoc Committee to Form a Coalition on Government Information. The Committee is in the process of organizing a coalition of concerned organizations which could encourage executive and legislative branch policies and activities which assure that information needs of citizens are not restricted.

With access to information a major ALA priority, members should be concerned about the following series of actions which create a climate in which government information activities are suspect. Four previous chronologies on the same topic were compiled in an ALA Washington Office publication "Less Access to Less Information By and About the U.S. Government---A 1981-84 Chronology: April 1981 - December 1984." An update for the period between January - June 1985 continued the chronology; the following covers July - December:

July 1985 At a July 17 hearing of the House Government Operations Subcommittee on Employment and Housing chaired by Rep. Barney Frank (D-MA), Rep. Major R. Owens (D-NY) said: "It appears that OMB has zeroed in on the cost of information while remaining cynically unaware of, or ignoring, its value." Carol Turner of Stanford University testified for ALA and reaffirmed the Association's view that if OMB implemented its draft circular as proposed in the March 15 Federal Register, there would be a drastic reduction in the flow of government information to the public. (The Washington Post, July 18) (Ed. note: The transcript of the hearing, OMB's Proposed Restrictions on Information Gathering and Dissemination by Agencies, is available from the Subcommittee (202/225-6751).)

July Reps. William H. Gray (D-PA) and David R. Obey (D-WI) criticized the Administration's plan to stop issuing the government's annual report on after-tax income. The latest report, June 27, showed the wealthy are getting wealthier and the poor, poorer; households in all but the top 20 percent received a smaller share of after-tax income in 1983 than in 1980. The Congressmen noted that the report indicated the share of after-tax income going to those with incomes of more than \$60,000 a year rose to 42 percent, from 40.6 percent in the 1980-1983 period, a shift of nearly \$25 billion. In a letter to Commerce Secretary Malcolm Baldrige, they protested the decision to stop issuing the report in order to cut costs. (The New York Times, July 9)

In August, Baldrige wrote Gray that he had "reevaluated the Census Bureau's recommendation and have concluded that we should continue doing the report." (The Washington Post, August 30)

August Attorney General Edwin Meese III and Assistant Attorney General for Civil Rights William Bradford Reynolds are leading an effort to revise Executive Order 11246, the 20-year-old directive mandating equal employment efforts on the part of federal contractors. Business organizations joined civil rights activists and Members of Congress in challenging a draft executive order which would abolish rules requiring some government contractors to meet numerical goals in hiring minorities and women. Sen. Howard M. Metzenbaum (D-OH) said: "When you make an effort to determine whether there's been discrimination, you have to use whatever evidence is available. Doing away with the ability to use statistical data is tantamount to making it almost impossible to make a case." (The Washington Post, August 15 and 16)

August The Public Health Service's National Center for Health Statistics has been keeping track of the births, illnesses, disabilities and deaths of Americans---and a host of other health facts---for 25 years. Critics have voiced concern that Reagan Administration budget cuts may have undermined some of the center's record-keeping ability, particularly the frequency of surveys. The Center's Director, Dr. Manning Feinleib, acknowledged that "government-wide constraints on budget and positions have resulted in changes in the

original periodicity" of some surveys. (The Washington Post, August 23)

August To save storage and mailing expenses, Department of Agriculture officials are junking thousands of copies of county soil profiles that cost the government large amounts of money to produce and publish. One clerk estimated that 40,000 surveys, some as thick as telephone books, will be dumped. County soil surveys and maps are vital tools to farmers, developers, land appraisers, home builders, engineers and recreation planners in determining what can be done on which soils. Over the years, the Department has compiled surveys for 1,908 counties. The survey trashing was ordered by the Soil Conservation Service, which oversees the compilation and distribution of the documents. The division decided that it would be the most cost-effective way of solving a budget problem, and would save \$67,000 a year by giving up storage for which it is charged "rent" by the General Services Administration. It was estimated that it would cost \$57,000 to send the surveys to the respective states. However, some copies will be available to the public in state capitals. (Washington Post, August 28)

September The September AGNET Newsletter (University of Nebraska-Lincoln) informed readers that AGNET, an electronic system, would carry a reduced number of U.S. Department of Agriculture reports in the future. "The reason for this is USDA's new EDI (Electronic Dissemination of Information) system developed and run by Martin Marietta Data Systems (MMDS). Even if current technical problems can be worked out, the cost structure will not allow us to recover our expenses of retrieving most reports. MMDS is charging five cents/line to view the menu of available reports, and two cents/line for transmitting the reports---including blank lines. The line charges are in addition to long distance and connect charges.... Since Central AGNET is a self-funded operation (not tax supported), we cannot subsidize projects or absorb costs we are unable to recover." The newsletter pointed out to their clients that the option exists to contract directly with MMDS, but advised that there is a \$150/month minimum fee. (See February 1984 "Less Access..." entry)

September In a September 17 letter to Defense Secretary Caspar W. Weinberger, the presidents of 17 American scientific and engineering societies accused the Defense Department of creating a new system of classification on research and declared that their organizations will no longer sponsor restricted sessions at their meetings. The effect of the presidents' actions would be to shut out from their society meetings the papers of any defense-funded scientists working in "sensitive" but nevertheless unclassified areas. The letter said, in effect, that if the Pentagon wants certain subjects restricted, it should take them out of open meetings or set up classified meetings. (The Washington Post, September 21)

September The Department of Education reversed controversial decisions made last spring by its Publications and Audiovisual Advisory Council

(PAVAC) to bar publication of some education-research materials. The action by Under-Secretary of Education Gary L. Bauer will allow researchers at several federally sponsored education-research laboratories to publish materials that they had agreed to produce as part of their contracts with the agency. The researchers had been asked to halt the publication of some materials by PAVAC to cut the agency's printing costs. Some education researchers charged that the panel had over-reached its mandate to trim spending and had tried to censor the publication of certain types of research. Bauer said, however, that he had found no evidence of censorship. (The Chronicle of Higher Education, September 25)

November In an essay in the November Harper's, "Liberty Under Siege," Walter Karp uses a chronological format to document what he considers "...an unflagging campaign to exalt the power of the presidency and to undermine the power of the law, the courts, the Congress, and the people." His chronicle is not a secret history, but a record of events which have been reported in daily newspapers. Karp warns: "When a concerted assault on the habits of freedom ceases to shock us, there will be no further need to assault them, for they will have been uprooted once and for all."

November "A dozen annual reports recently were placed on the hit list of the White House budget office---and five of them come out of ED. The reasons cited by the budget office for refusing to fund publication of the reports: The annual report of the Centers on Education Media and Materials for the Handicapped contained no useful information not reported elsewhere; the annual report of the National Advisory Council on Continuing Education duplicates other reports, the biennial report of the Office of Education Professional Development was moot because the office was abolished in 1981; and two reports on the allocation of ED employe time by work-years contained information already provided in annual budget requests." (The American School Board Journal, November)

November Then Assistant Education Secretary Anne Graham was criticized at a November 13 hearing of the House Government Operations Subcommittee on Intergovernmental Relations and Human Resources for her role as chairman of an in-house advisory group that reviewed federal education research projects and blocked many from being published. In her testimony Graham said that the advisory group was established in response to OMB's Bulletin No. 81-16 which provided procedures and guidelines to implement the President's April 1981 moratorium on the publication and creation of periodicals, pamphlets and audiovisual products until systems were established and approved by OMB. (See April 1981 entries in "Less Access to Less Information By and About the U.S. Government.") In a November 15 article in the Washington Post, Rep. Ted Weiss (D-NY), who chaired the hearing, said: "The hearings confirmed that there is no legal role for PAVAC in educational research or program development." He added that "PAVAC's real impact is restricting the free flow of information necessary to improve education in our country." (Ed. note: PAVAC, the Publication and

Audiovisual Advisory Council, has been restructured and is now called the Publications Review Board.)

November

A U.S. District Court judge ruled that federal agencies must tell the public the topics of regulations that are under consideration and how long the agencies have been considering them. The ruling said that disclosure of such "limited information" under the Freedom of Information Act would "at most" allow the public "to ascribe responsibility for delay to a particular agency." Though the ruling---that "regulatory logs" are public information---seems on the surface to be a technicality, the Public Citizen Health Research Group which brought the suit against the Department of Health and Human Services contends it could have important consequences if widely applied in practice. President Reagan gave OMB authority early in his presidency to review all significant government regulations, and critics have long charged that the Administration uses the OMB to stall and eventually kill regulations without public scrutiny. Robert Bedell, an OMB deputy administrator, said that OMB tells the heads of virtually all agencies whether their proposed regulations are consistent with the Administration's principles. The Public Citizen Health Research Group has been lobbying the Food and Drug Administration since 1982 to require a label warning parents not to give aspirin to children with flu or chicken pox. (The Washington Post, November 28)

December

ALA joined the American Council of the Blind, the Blinded Veterans Association, and Playboy Enterprises, Inc., in filing a complaint against the Librarian of Congress who followed the intent of Congress to deny FY 1986 funds for the braille edition of Playboy under LC's books for the blind and physically handicapped program. The suit was filed Dec. 4 in U.S. District Court for the District of Columbia, and announced at a Dec. 4 press conference at which Reps. Vic Fazio (D-CA) and Jerry Lewis (R-CA) said they would submit an Amicus Curiae brief in support of the suit.

ALA President Beverly Lynch, speaking at the press conference, said the congressional amendment which caused the LC action restricts and suppresses access of the blind to viewpoints, ideas and information expressed in a single, lawful magazine, otherwise available to sighted readers, solely because the government deems those ideas to be dangerous, bad, immoral or otherwise undesirable. The suit requests a judgment either declaring that the Wylie amendment does not prohibit LC from producing Playboy in braille or ruling the intent of the amendment to be unconstitutional.

The issue arose on July 18 when the House accepted an amendment to HR 2942, the FY '86 Legislative Branch Appropriations Bill, offered by Rep. Chalmers Wylie (R-OH) to reduce the Library of Congress budget by \$103,000. The text of the amendment did not indicate the purpose of the amendment, but Rep. Wylie's remarks made clear its intent was to prohibit LC from reproducing and distributing Playboy in braille. The vote and remarks appear on pp. H5932-35 of the July 18 Congressional Record (daily edition). The Senate did not restore the funds. HR 2942 was later given

final congressional approval and signed into law (PL 99-151) November 13. (News Release: American Library Association, November 1985)

December

A group of 15 independent documentary film makers and production companies filed suit on Dec. 5 in the Los Angeles Federal District Court, charging that the federal government had severely limited the distribution of their films abroad because of differences in political ideology. The film makers charged that regulations issued by the United States Information Agency were being used "as a political censorship tool to hinder distribution" of their films. The film makers asked a federal judge to order that six films be given the certification they say is necessary to make foreign distribution realistically possible. The subjects of the films include childhood in America, uranium mining, nuclear war and Nicaragua. The film makers say that unless USIA issues a certificate stating that a film is educational, scientific or cultural in nature, the films are subject to high import taxes from the foreign countries and voluminous paper work that makes distribution to schools and libraries abroad virtually impossible. (The New York Times, December 6)

December

The Office of Personnel Management (OPM), in a move prompted by the prosecution of former Navy intelligence analyst Samuel Loring Morison, asked the military services for nominations to "Security Hearing Boards" that could lead to the summary removal of civilian employees "in the interests of national security." OPM said that the plan had been shelved, at least for the moment, in light of Morison's post-conviction resignation from the government. But at the Defense Department, officials said they were still mulling the OPM request. An OPM spokesman, said that the "presidential instructions" cited in a Dec. 2 letter from OPM Director Constance Horner to the secretaries of the Navy, Army and Air Force were issued by President Dwight D. Eisenhower in a 1953 executive order that laid the basis for the Federal Loyalty-Security Program of the 1950s. (The Washington Post, December 14)

December

After it was revealed in the news media on Dec. 11, the White House announced that President Reagan signed a secret directive requiring thousands of Administration officials and perhaps some Cabinet members, to submit to polygraph tests as part of a counter-espionage crackdown throughout the government. The President signed National Security Decision Directive 196 on November 1. It applies to officials with access to "sensitive compartmental information" (SCI); more than 182,000 federal employees and contractor personnel would be subject to the tests. (The Washington Post, articles on Dec. 12, 20, 21 and 25)

NSDD 196 is classified, thus it is not known if it contains a prepublication review system for speeches and writings of current and former government employees. However, such a system is already in effect. According to a June 1984 General Accounting Office report, every employee with access to SCI is being required to sign a lifelong prepublication censorship agreement, Form 4193. (See "Less Access..." item, June 1984)

December Despite congressional and public pressure for an opportunity for further review of the final draft, OMB issued its policy directive, OMB Circular A-130, Management of Federal Information Resources, on Dec. 12. The text was published in the Dec. 24 Federal Register, pp. 52730-51, with corrections in the Jan. 6 FR, p. 461. A provision that agencies must arrange to make government publications available to federal depository libraries was added to the final version in response to public criticism of the controversial first draft published in the March 15 FR.

The basic considerations and assumptions have been amended and broadened to reflect criticism that these statements in the March draft were too narrowly conceived. However, the final circular requires cost-benefit analysis of government information activities, "maximum feasible reliance on the private sector" for the dissemination of government information products and services, and cost recovery through user charges where appropriate.

December While trying to help a friend find a government job, a Washington-area man found that locating the phone numbers to find the jobs is difficult. He found that most government agency employment hot lines are unlisted, but uncovered about 70 of those unlisted numbers. To make the task easier for the public---and money on the side---Ed Streeky has published his own phone listings The Book: A Directory of Federal Job Information Phone Numbers Plus Unlisted Numbers for Dial-a-Vacancy 24-hour-hotlines. It retails for \$6.95 in Washington bookstores. ("Finding Federal Job Hot Lines Can Be Harder Than Finding Jobs," (The Washington Post, December 28)

December In an article in the Dec. 20 Publisher's Weekly, "New Dangers to Press Freedom," Martin Garbus said that the conviction of Samuel Morison in a Baltimore Federal Court on Oct. 17, 1985, creates a serious danger to publishers. "The case has received little attention from the publishing community, but it should; for the prosecution is part of a larger Reagan administrative strategy to cut down on leaks and their appearance in books, newspaper articles and television reports."

December In a Dec. 23 editorial, The Washington Post said that damage may be done by the OMB circular issued with the "sleep-inducing title 'Management of Federal Information Resources.'" It observed that "the proposal would likely reduce the number of printed government publications available in libraries or at low cost and increase the already widespread practice of private outfits interfacing with government computers and providing printouts for users at hefty fees." The editorial concluded: "It is saving pennies and squandering dollars for the government, in the name of cost-cutting, paperwork-reduction, and privatization, to starve the statistical agencies and choke off the flow of federal statistics from the government agencies to the people. Rep. Glenn English (D-OK) spoke out last spring against the earlier draft version of this circular, and OMB made some improvements. But there's still plenty for Mr. English and others in Congress to complain---and do

something---about." ("Privatizing the Numbers," The Washington Post, December 23)

December Herbert I. Schiller urged "a national debate about the character, objectives and direction of the information society" in an article in the Dec. 28 The Nation titled, "Information---A Shrinking Resource." He believes that the national information supply is an endangered resource, particularly threatened by the privatization and commercialization of government information.

December The Treasury Department has been releasing its daily cash balance to a California computer service a day before it is released to the general public. The 150 subscribers to the \$1200-a-year service include a handful of the 36 primary bond dealers. After Dow Jones and Co. news wires carried a report about the 18½-hour gap, the Treasury announced it will formally release the cash balance data at 4 p.m. to anyone who wants it starting Dec. 30. One money market economist, who had not been aware of the commercial computer service, said of the two-tiered release: "No one is supposed to get a proprietary advantage where sensitive government information is concerned." A government bond dealer added: "Why does Treasury have to go through a private vendor to release public information?" Treasury officials indicated the early release was established without full consideration of its effect on financial markets. (Wall Street Journal, December 30)

STATUS OF LEGISLATION OF INTEREST TO LIBRARIANS 99th Congress, 2nd Session Convened January 21, 1986 Chart Date: May 20, 1986	HOUSE					SENATE					FINAL ACTION		
	Introduced Introduced	Hearings Reported by Subcommittee	Committee Report No.	Floor Action		Introduced	Hearings Reported by Subcommittee	Committee Report No.	Floor Action		Conference Report	Final Passage	Public Law
Computer Crime	HR 4562, 4718	X				S 2281	X						
Congressional Budget Resolution	HConRes 337	X	598	X	SConRes 120	X	264	X					
Copyright - Home Audio Recording	HR 2911				S 1739	X							
Copyright - Manufacturing Clause	HR 3465, 4696				S 1822, 1938	X	303						
Economic Equity Act	HR 2472				S 1169								
Effective Schools & Even Start Act	HR 4463	X	X										
Florence Agreement Protocol	HR 2885	X			S 1274								
Freedom of Information Act Amendments	HR 1882, 3319				S 150			X					
Head Start, dependent care extension	HR 4421		545	X	S 2444								
Higher Education Act Extension	HR 3700	X	X	383	X	S 1965		X	X	296			
Information Policy Institute or Commission	HR 744				S 786								
Japanese Technical Literature	HR 3831	X	X		S 1073		175	X					
LC etc., exempt from G-R-H					S 2276								
National School Library Month	HJRes 154			X	SJRes 52			X		none	X	99-273	
Omnibus Budget Reconciliation	HR 3500, 3128		300	X	S 1730		146	X		453	X	99-272	
Pay Equity Study	HR 3008	X	X	232	X	S 519		X					
Presidential Libraries	HR 1349	X	X	125	X	S 1047			257	X	none	X	
Public Lending Right Study Commission					S 658								
Revenue Sharing extension	HR 1400	X	X										
Tax Reform Act	HR 3838	X	426	X	HR 3838	X							
Taxation - Manuscript Donations	HR 1657, 3087												
WHCLIS II	HJRes 244	X			SJRes 112								

For bills, reports & laws write: House & Senate Doc. Rms., U.S. Capitol, Washington, D.C. 20515 & 20510, respectively.