

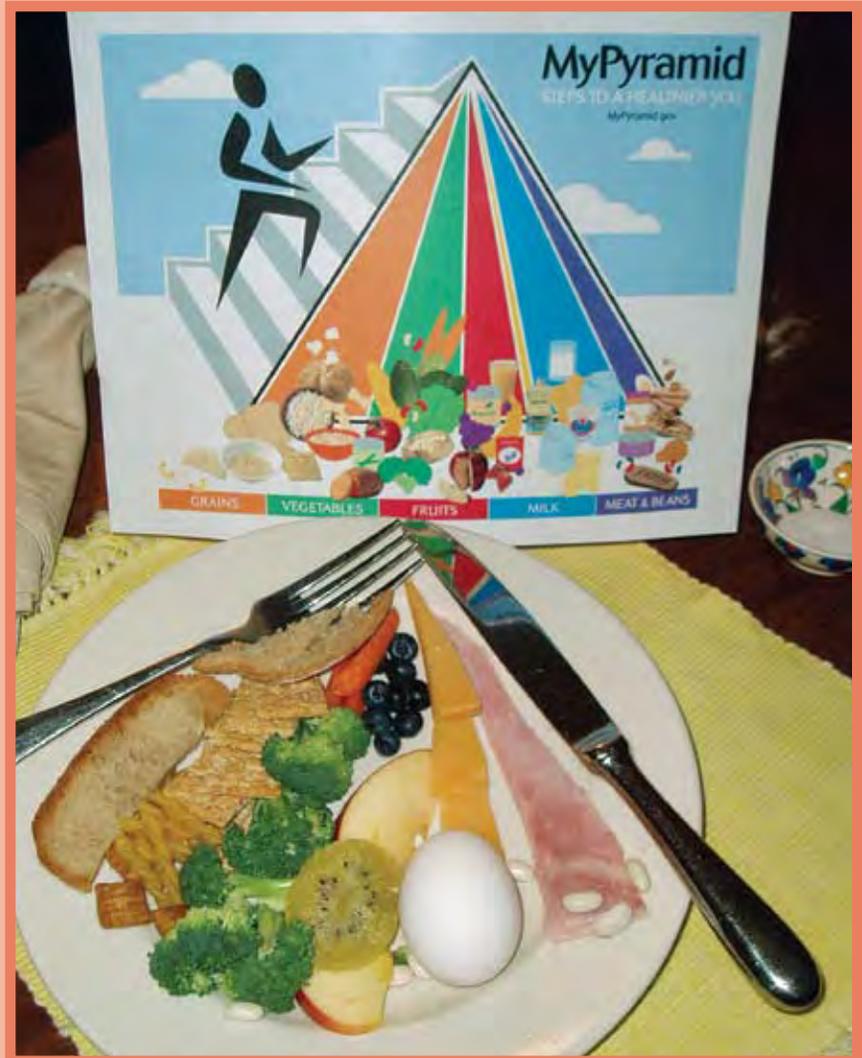
In This Issue

- What Difference Does It Make What Congress Published?
- The American State Papers
- Conflict and Compromise in the Federalist Era
- Recovering the People's Voice

DtttP

Documents to the People

Spring 2008 | Volume 36, No. 1 | ISSN 0091-2085



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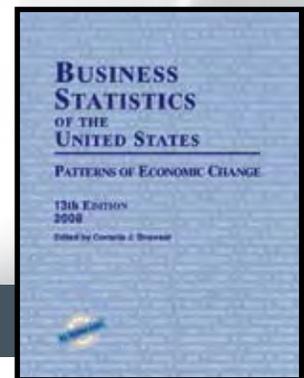
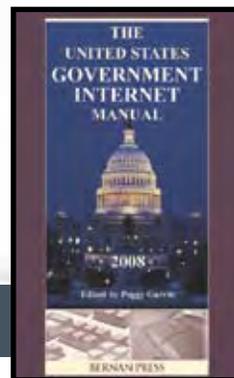
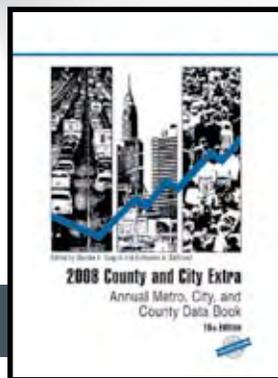
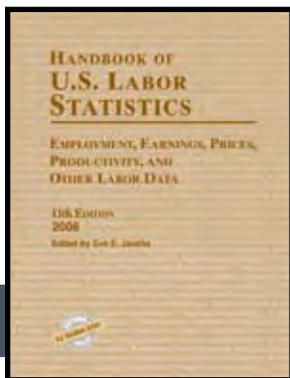
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DttP: Documents to the People (ISSN: 0091-2085) is the official publication of the Government Documents Round Table (GODORT) of the American Library Association (ALA). *DttP* is published quarterly in spring, summer, fall, and winter.

DttP features articles on local, state, national, and international government information and government activities and documents the professional activities of GODORT. The opinions expressed by its contributors are their own and do not necessarily represent those of GODORT.

Editorial Staff

Please see the web site for full contact information: www.ala.org/ala/godort/dttp/aboutdttp.htm.

Lead Editor: Andrea Severson, (301) 951-4749; dttp.editor@live.com

Editors:

Jackie Druery, Queen's University; (613) 533-6401; drueryj@post.queensu.ca

Chuck Eckman, UC Berkeley; (510) 642-7999; fax (510) 643-8179; ceckman@library.berkeley.edu

Julie Linden, Yale University, (203) 432-3310; fax: (203) 432-3214; julie.linden@yale.edu

Helen M. Sheehy, Pennsylvania State University Libraries; (814) 863-1347; fax: (814) 863-1403 hms2@psu.edu

Contributions Editor: Ben Amata, CSU Sacramento; (916) 278-5672; fax: (916) 278-7089; bamata@csus.edu

Reviews Editor: Susan Tulis, Southern Illinois University, Morris Library, Mailcode 6632, 605 Agriculture Dr., Carbondale, IL 62901, (618) 453-2522, fax: (618) 453-3440; stulis@lib.siu.edu

Advertising Editor: Sherry DeDecker, Davidson Library, University of California, Santa Barbara, CA 93106-9010, 805-893-3713, fax: 805-893-4676, dedecker@library.ucsb.edu

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Distribution Manager: ALA Subscription Department, 50 E. Huron St., Chicago, IL 60611. 1-800-545-2433, press 5; fax: (312) 280-1538; subscriptions@ala.org

Subscriptions/Claims: *DttP* is sent free to ALA/GODORT members on a per volume (annual) basis. For subscriptions, prepayment is required in the amount of \$35 in North America, \$45 elsewhere. Checks or money orders should be made payable to "ALA/GODORT" and sent to the Distribution Manager. Changes of address and claims six months of the date of issue should be sent to the Distribution Manager. To purchase back issues, write to: UMI, 300 North Zeeb Rd., Ann Arbor, MI 48106. POSTMASTER: Send address changes to *DttP*, 50 E. Huron St., Chicago, IL 60611. Periodicals postage is pending at Chicago, Illinois, and additional mailing offices.

Contributions: Articles, news items, letters, and other information intended for publication in *DttP* should be submitted to the Lead Editor. All submitted material is subject to editorial review. Please see the web site for additional information, above.

Indexing: Indexed in Library Literature 19, no. 1 (1991) and CSA World-wide Political Science Abstracts 33, no. 1 (2005).

Editorial Production: ALA Production Services—Troy D. Linker, Karen Sheets, Chris Keech, and Tim Clifford.

Columnists:

On the Range

Brian Rossmann
Montana State Univ.
brossmann@montana.edu

International Documents Roundup

James Church
Univ. of California, Berkeley
jchurch@library.berkeley.edu

State and Local Documents Roundup

Kris Kasianovitz
Univ. of California, Los Angeles
krisk@library.ucla.edu

Tech Watch

Valerie Glenn
Univ. of Alabama
vglenn@ua.edu

Amy West
Univ. of Minnesota
westx045@umn.edu

Geospatial News

Marcy M. Allen
Pennsylvania State Univ.
mallen@psu.edu

Washington Report

Kevin McClure
Chicago-Kent College of Law
kmclclure@kentlaw.edu

By the Numbers

Stephen Woods
Pennsylvania State Univ.
swoods@psu.edu

News from the North

Michael McCafferty
Univ. of Toronto
michael.mccafferty@utoronto.ca

DttP

Documents to the People

Spring 2008 | Volume 36, No. 1 | ISSN 0091-2085

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About the Cover: The winner of our second cover contest is Eve Moennig. She photographed the pyramid poster, *MyPyramid.gov* (Alexandria, Va.: Center for Nutrition Policy and Promotion, U.S. Dept. of Agriculture, April 2005).

Editor's Corner

Second Chances

Andrea Severson

Every so often, we're given a second chance at something. As this issue went into production, I had a horrible cold, my brain was in a fog, and I was incapable of writing anything. It was enough just to get the issue out the door to ALA. Consequently the Editor's Corner was two sentences long. An embarrassment.

Our new ALA production editor asked (politely!) if I wanted to submit an actual column. My second chance.

In another second chance, the *DttP* editorial team has gotten through our second redesign of the look and feel of *DttP*. So, a new font, headers, cover arrangement, and my favorite, a new bullet style for the bulleted lists (I really didn't like the old style). I think we enjoyed talking about what we did and didn't like and what needed to be "fixed" in the redesign. What do you think?

In a different kind of second chance, this issue has the winner of the second cover contest. We had several interesting and artsy entries, and this is what the team chose. The other entries will be posted in a link from the *DttP* web site, so be sure to take a look.

Speaking of our web site, for the upcoming issue on Docs 2.0 (Web 2.0 social networking software in a docs environment), we're going to have several additional articles posted

on the GODORT wiki, as well as the table of contents for the print version, so you can comment on any of the articles and take part in the exchange of ideas around that. I'm looking forward to seeing the conversation. In the print world, it can sometimes feel as if the paper *DttP* is the proverbial tree falling in the woods. Did anyone read it? What did they think about it? We hope to do more of this kind of thing in the future.

A few transitions: Tim Byrne took a brief (one issue) hiatus from Tips from Tim while he was moving; he's back now. With this issue I'd also like to recognize Angie Hanshaw of ALA Production Services. She's moved on with her career at ALA, but she was great to work with for our first four and a half years as we put out *DttP*. She was a consistent (and fun) person to work with and helped *DttP* and its editorial team as we grew into our roles. She took panicked and funny calls from me, and seemed to enjoy coming to editorial team meetings at ALA to talk about, of all things, cover colors! Thanks, Angie! Just to show you how well Angie had us trained, when I submitted the contents for this issue of *DttP*, our new production editor, Chris Keech, commented on the great organization I had used in the file submission. I remember Angie telling me briefly what would work, and I've stuck to it slavishly ever since.

Enjoy your issue of *DttP*!

DttP Online!

www.ala.org/ala/godort/dtt/dttponline

Check out the new and the old! The digital archive, hosted by Stanford University Libraries & Academic Information Resources, contains all issues of the journal published from its inception in 1972 through 1998 (volumes 1–26). The contemporary material, 2003 (volume 31) to present, is hosted on the ALA/GODORT server.

From the Chair

Bill Sleeman



January 5, 2008. By the time this column goes to print I will have completed both my annual election judge training and will have made it through

the primary election in Maryland (which, like many states, has been moved up in the calendar year). I will have already dealt with the myriad of typical election day questions that voters bring with them and I will have spent time thinking (and complaining) about these questions. The questions I get on election day are frustrating to me because they illustrate many of the failures in the way in which our nation educates voters. On election day I serve as much as basic civics instructor as I do an election official.

In the September 15, 2007, issue of *Library Journal* publisher Ron Shank suggested that libraries make 2008 the year of “Election Education” (“Libraries and the Elections,” 132, no. 15: 8). This idea is an excellent one and Ron Shank is right on the money when he suggests that this is an area where libraries can really make a difference.

The library community already has a group of experts on these issues in the thousands of government information specialists employed in libraries around the country. These government information librarians have already created detailed Internet sites that serve to bring together election data and resources on both a national and a local level. All you have to do is Google “election resources library” to see what government information librarians already offer on this subject.

Shank goes on to write that librarians should do more than just point to the resources but that we also play a leadership role in our communities to guarantee that all local voices are heard. Again, GODORT members have long known this and continue to lead the way by organizing programs at their institutions and for the association that focus on many of the issues that Shank’s column raises.

For example GODORT has planned a preconference on election resources for the 2008 Annual Conference while our colleagues in the ACRL Law and Political Science Section will offer a program on participatory democracy initiatives. Other groups and associations, including the American Association of Law Librarians and the Public Library Association, have also identified elections and participatory

democracy as topics to be addressed at their annual events.

One area where GODORT can be particularly effective is at the nexus of voter education, advocacy, and e-government. As we look to the future of our round table we must look beyond just managing content to how we provide and create services for our users. Our members have long been the experts within ALA on government services at all levels and if we want to be a part of the future of the association’s e-government initiatives, we have to position ourselves aggressively to make that case. To some extent this means letting go of some long-held notions of what GODORT is and embracing new definitions, ideas, and services.

The GODORT strategic planning initiative now underway is a key component in our efforts to reshape our organization. As part of that effort we have been surveying current members and have reached out to former members to find out what they like and dislike about our round table. The strategic planning effort isn’t the only way to have a positive effect on the round table though; other efforts, organized by individual members, are already underway to help us reimagine our organization. These efforts include creating a Second Life presence for GODORT, developing an Occasional Papers Series to be published in electronic form, and creating a category of membership—a virtual member—that will offer alternatives to the familiar pattern of participation in GODORT.

Yet another way that GODORT can be successful in educating users about elections and the voting process, while at the same time breaking free of our familiar patterns would be to look beyond the library community for partners in any election education effort. Teaming up with the League of Women Voters, the Open House Project, or state and local election boards could offer new venues that contribute to the need to educate voters while taking advantage of the skills and experiences that so many government information librarians possess.

Making 2008 the year of educating voters is a worthy goal and I know that government information librarians will rise to that challenge. I am equally confident that GODORT members will embrace the opportunity to reshape our round table for the future. It is an honor to be chair of GODORT at this exciting time and I look forward to working with, and learning from, each of you.

On the Range

Stolen Documents

Brian W. Rossmann

A few weeks ago, while sitting in my office at Montana State University (MSU) in Bozeman, I was surprised to receive a telephone call from an FBI agent in Great Falls. I realize that some folks on university campuses regularly deal with agents (who might be performing background checks on former students seeking security clearances), but frankly this was the first time that that I had ever been contacted by one. It was a little unnerving and for a few moments I asked myself if I had any outstanding tickets, warrants, or what I might have done! It turned out, however, that he was calling to inform me that he had some of my library's books that had been stolen, and possibly more than a thousand items from libraries all over the country! Moreover, he had lots of maps, lithographs, and plates that had been cut out of books—many of them from MSU's *Serial Set*. He was asking for our assistance.

All these materials were recovered during a raid of a self-storage unit in Great Falls. About two years ago, likely in February of 2006, Western Washington University (WWU) suffered a significant theft of government documents. More than six hundred pages were cut from more than one hundred different *Serial Set* volumes. Most of them were nineteenth century maps. Shortly thereafter these items began to appear for sale on eBay in an online shop operated by an individual—operating under the handle of “Montanasilver”—living in Great Falls. His specialty was maps and Indian artifacts. In mid-December the Great Falls police and FBI pounced. While I am not sure if the person doing the selling has been arrested, a huge number of items—apparently stolen from libraries all over the country—has been recovered.

MSU library staff had noticed a number of *Serial Set* volumes with maps cut out of them, but I do not believe that we suffered nearly the losses that WWU did (regretfully we did not report these thefts to the police at the time). Part of the reason we were not hit so hard may be that our *Serial Set* collection is pretty spotty for the nineteenth century since we only became a depository in 1907 and have never really tried to backfill the sheepskin volumes (we have recently purchased the Readex digital *Serial Set*). However, the FBI agent I spoke with indicated to me that he had many books from our general collection. One example was the six-volume set *Le Costume Historique* by Racinet, which was published in Paris in 1877 and contains many beautiful color plates. Several volumes from our set were

recovered in the raid. We were not even aware they were missing! Had they not been found, no doubt they would have been cut up and sold piecemeal. It may be some time until we receive our materials back as they now are part of the evidence in this case. And who knows how many of the maps or other items cut out of volumes can be reincorporated into our collection.

This incident has had me thinking a lot lately about theft from libraries. Judith Gelernter, in a fairly recent article on theft prevention in libraries, speculates that “the sad fact is that theft is rampant” and points out that libraries do relatively little to handle this loss: “anti-theft practices spoil the friendly atmosphere, are too costly, or are simply not worthwhile because, well, thievery is inevitable.”¹ But turning a blind eye is expensive: “The average cost in damages can only be estimated. A 1999 estimate suggests that libraries lose as much as 3 percent of their book collections each year. This means that if your collection includes 50,000 titles and you accept the possibly dated estimate of \$44.65 which was the *Publisher's Weekly* replacement book cost, your loss each year is about \$70,000.”² She concludes that “Library theft (1) costs your organization big bucks and (2) is illegal. Ignoring it virtually ensures that it will continue at the same rate, at least.”³

While stealing from libraries seems to me to be an especially contemptible theft (after all, libraries are all about making books freely available to everybody!), stealing government documents is an even more abominable crime because documents *belong to everybody*. What I find particularly tragic is that documents librarians, often in the face of great opposition from administrators or government bureaucrats, have toiled selflessly for over a century to build and preserve these collections; they have championed the rights of the people to have free access to these collections with the least impediment possible. To have them pilfered after so much love and effort have been lavished on them is especially sad.

What has become painfully clear to me is that documents collections have materials in them that are valuable enough to be very tempting to thieves. Unfortunately I do not have any easy answers on how we can keep our collections fully accessible and make them more secure at the same time. But being aware of the problem and being vigilant is the first step. Conducting inventories and knowing what might be missing would also help. The most important lesson that I have learned is that it is important to file police reports when significant collection thefts are identified, and not to treat thefts as just part of the cost of doing business. It was largely through WWU's due diligence in this regard that any of these stolen items have been found. Again, as Gelernter says, ignoring this problem will only ensure that it continues.

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Washington Report

Kevin McClure

Government information librarians and open government advocates had several reasons to celebrate as we rang in the new year. As this issue nears press time, and librarians are packing their bags and briefcases for the 2008 American Library Association Midwinter Meeting in Philadelphia, we are cheered by fresh successes in Washington to strengthen the Freedom of Information Act (FOIA), add teeth to the Public Access Policy of the National Institutes of Health (NIH), and require the Environmental Protection Agency (EPA) to reopen its network of libraries. These wins demonstrate the growing strength of a broad coalition of library and open government groups, and point to opportunities for building on these victories in 2008.

Open government advocates were popping champagne corks after President Bush's New Year's Eve signing of legislation to strengthen FOIA. The *OPEN Government Act of 2007* (S. 2488), sponsored by Senators John Cornyn (R-TX) and Patrick Leahy (D-VT), passed both chambers of Congress by voice vote in December to become the first update of the forty-two-year-old FOIA law in more than a decade. The new law "aims to fix some of the most persistent problems in the FOIA system, including excessive delay, lack of responsiveness, and litigation gamesmanship by federal agencies," according to the National Security Archive.¹

The new law clarifies the response time for agency action under FOIA, requires agencies to refund FOIA fees when they fail to respond within the twenty-day time limit, establishes a tracking system that allows requesters to follow the status of their FOIA requests, clarifies that FOIA applies to government records held by private contractors, and creates an independent FOIA ombudsman to provide a dispute resolution alternative to litigation. National Security Archive director Thomas Blanton praised the new law but cautioned that "Congressional and public oversight will be essential for the law's success," noting a 2007 survey conducted by the Archive that found that "only one in five federal agencies fully complied with the 1996 law, even after 10 years of implementation."²

Five days earlier, on December 26, the president signed an omnibus appropriations bill, the *Consolidated Appropriations Act of 2008* (H.R. 2764), which provides \$3 million to support a directive to the EPA to restore its library services. Without seeking public input or congressional approval, the EPA began closing libraries and consolidating operations in early 2006. Regional libraries serving twenty-three states and the EPA headquarters library in Washington, D.C. were closed, and services and hours were cut in libraries covering another fourteen states. Librarians were far from alone in protesting the closures; more than half of the agency's own scientists signed a petition protesting EPA's action. The omnibus bill directs EPA to "restore the network of EPA libraries recently closed or consolidated by the Administration" and to report on its plans to "restore publicly available libraries to provide environmental information and data to each EPA region."³

The same omnibus bill also includes a directive to NIH to strengthen its Public Access Policy by making publicly accessible deposit of peer-reviewed manuscripts mandatory rather than voluntary. Voluntary deposit, written into the Public Access Policy in 2005, had achieved a deposit rate of less than 5 percent by individual researchers and was widely regarded as inadequate. Under the mandatory policy, NIH-funded researchers are now required to deposit peer-reviewed manuscripts into the National Library of Medicine's online archive, PubMed Central, where they will be available in full text within twelve months of publication in a journal. With the stronger new policy, "Congress has just unlocked the taxpayers' \$29 billion investment in NIH," according to Heather Joseph, executive director of the Scholarly Publishing and Academic Resources Coalition (SPARC). "This policy will directly improve the sharing of scientific findings, the pace of medical advances, and the rate of return on benefits to the taxpayer."⁴

These three victories are testaments to the importance of perseverance over months and years and in the face of long odds, and should encourage us as we look ahead to the challenges that await us in the second session of the 110th Congress. One of the most persistent of these challenges is the effort to secure public access to Congressional Research Service (CRS) reports. This long-standing effort received a breath of new life in December when an influential group of senators—Joseph Lieberman (I-CT), Susan Collins (R-ME), Patrick Leahy (D-VT), John McCain (R-AZ), and John Cornyn (R-TX)—introduced a resolution that *CongressDaily* said "could be the strongest in a series of attempts to force CRS to make its work widely available."⁵

The new effort in the Senate (S.Res. 401) follows on the heels of the *Congressional Research Accessibility Act* (H.R. 2545),

introduced by Rep. Christopher Shays (R-CT) in May 2007, which has yet to find traction in the House. Recognizing the need for better public access, several online sources have established repositories of publicly available CRS reports, including Open CRS (www.opencrs.com) and the University of North Texas Libraries (www.digital.library.unt.edu/govdocs/crs). But these valiant efforts are no substitute for a comprehensive collection that establishes public access as a matter of policy.

Defending the restriction of these reports from routine public access, CRS director Daniel Mulhollan said in a memo to CRS staff in April 2007 that “our work remains proprietary to the members [of Congress] unless and until they decide otherwise.”⁶ In practice, however, CRS reports are often more readily available through commercial vendors to those who can afford the price tag, or to lobbyists and other insiders with close connections to congressional members, than they are to the general public.

The current policy essentially treats congressional research as a commodity, readily available to those with influence, but cumbersome and expensive to obtain if not entirely invisible to the public. The inequity of the current distribution system, which gives well-heeled insiders privileged access to publicly funded information that lays out congressional thinking on critical issues, begs for reform. The argument that these reports “belong” to Congress doesn’t bear up. Congress, after all, belongs to us.

We’re also in for the long haul in the effort to remove barriers to access to presidential records. The *Presidential Records Act of 1978* was written to ensure that the public records of our presidents belong to the American people, but this guarantee was eroded by an executive order signed by President Bush in 2001. Executive Order 13233 granted former chief executives broad discretion over the release of their records, and even extended that discretion to a president’s heirs. Presidential records, a fundamental resource in the historical analysis of the American presidency, effectively became the private property of presidents and their families.

The *Presidential Records Act of 2007* (H.R. 1255, S. 886) would nullify that executive order and restore standards for the timely release of presidential records. Prospects seemed bright in March 2007 when the House approved H.R. 1255 by a 333–93 vote. But progress on the Senate side has twice been stalled by holds that have prevented the measure from coming to the floor. The legislation also faces the threat of a veto by President Bush, although the margin in the original House vote was easily veto-proof. ALA is part of a broad coalition of library, academic, and open government groups working to

bring this legislation to a vote on the Senate floor, and has also signed on to a letter to Senators Biden, Clinton, Dodd, and McCain—all candidates for their party’s nomination for the presidency—asking them to cosponsor the bill (presidential candidate Sen. Barack Obama, D-IL, is already a cosponsor).

Speaking of candidates, this year’s elections provide an opportunity to make sunshine in government a campaign issue. The victories we celebrated at the close of 2007 are reminders that while we pursue our professional interests in making government information more available, we are also doing the nation’s business. May this year’s elections serve to invigorate our enthusiasm for the great American experiment in democracy, and for the role we play in that experiment as government information librarians.

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By the Numbers

What Everyone Should Know about OECD Statistics

Stephen Woods

The Organisation for Economic Co-operation and Development (OECD) publishes statistics from forty statistical databases.¹ These databases cover a wide range of topics such as agriculture, banking, telecommunications, health, educa-

tion, social indicators, and economics.² Access to many of these statistical resources are made available either free through the OECD statistics portal on the Internet or through fee-based products such as *SourceOECD* and a variety of paper and CD/DVD-based publications. The OECD reported that in 2005 their statistics portal delivered more than 680,000 downloads, and their *OECD Factbook* online received more than 20,000 visitors monthly. The high demand for OECD statistics highlights the fact that librarians as well as our users need to have a better understanding of why and how the OECD collects and disseminates these statistics.

The original twenty member countries of the OECD were significant not only by which were included, but also by which countries were not allowed in its membership. From its conception, the two most important descriptive characteristics of OECD were that it was composed of non-communist and highly industrialized countries. It would be difficult to exaggerate, particularly in the early years, how much these characteristics influenced the types of statistics that the OECD gathers and publishes.

OECD, Communism, and Political Expedience

The Organisation for European Economic Co-operation (OEEC) was originally set up in 1948 with support from the United States and Canada to help coordinate the reconstruction of Europe through the Marshall Plan following World War II. By the end of the 1950s with the recovery of Europe and the Treaty of Rome, the mission of the OEEC was revised and the organization was renamed the OECD. One of its chief functions was to serve as the economic counterpart to the North Atlantic Treaty Organization to curb the growing influence of communism.

The fall of the communist regimes in Europe in the early 1990s offered new growth opportunities for the organization with the subsequent addition of a reunified Germany, Poland, Hungary, Czech Republic, Slovak Republic, and Korea to the OECD. What is most compelling about the addition of these former communist countries is the success that the OECD had in using economic statistics to promote economy policies that were contrary to previously held political ideals. This was not an accident; it was calculated and politically expedient.³

Promoting Economic Policy

Originally, the stated purposes of the OECD were to promote the economic well-being of the member countries and to assist developing countries in improving economic and social conditions. The difficulty in achieving success for a broad vision of this caliber is that it required standardization and

clear benchmarks. Who decides on these benchmarks and standards? Benoit Godin, in his article "The Number Makers: Fifty Years of Science Technology Official Statistics," provides some insight into the process.⁴ Godin persuasively argues that the military and science policies needs of the United States, Canada, and Great Britain strongly influenced the development, construction, and standardization of OECD science and technology statistics. This is an important distinction for the user of OECD statistics to understand: namely, that the role of the OECD is primarily as a coordinator and that often the statistics collected are a reflection of the national policies of the member countries.

The fall of communism in the 1990s created an interesting ideological dilemma for the member countries of the OECD. The removal of the unifying concept "non-communist" made it more difficult to fuse together the eclectic national economic policies of OECD member countries. However, the mission statement of the OECD boldly takes on this challenge, to "achieve sustainable economic growth, employment and rising standards of living in member countries while maintaining financial stability and contributing to the development of the world economy."⁵ The problem is that the OECD has no means for coercing its members to implement unifying measures; the organization merely functions as a mechanism for studying, formulating and promoting the "best economic and social policies for development."⁶

A perusal of the topics discussed in Istanbul 2007 at the second OECD World Forum on "Statistics, Knowledge and Policy" provides an interesting perspective on the ideological challenges that the OECD and its researchers are facing trying to find unifying measures to foster the progress of societies.⁷ For example, one roundtable discussion was devoted to what progress means in different countries and communities of interest. Another roundtable focused on whether or not happiness can be measured and what impact this should have on policy making. Yet another session looked at the abuse and use of indicators and ways that statistics can be used to mislead different sectors of society. The growing trend of uncertainty with respect to the use of statistics and national policy involves speculation beyond the scope of this paper, but this does highlight the importance for users to make sure they understand what the statistic they are using is actually measuring.

Convenience or Comparability

The OECD primarily collects its data from national statistical offices and from surveys designed by its various committees. By assembling the data into one convenient place, users are saved the trouble of searching through national publications and web

sites that are often in languages not familiar. The problem is that only a few of the statistics are compiled according to the same definitions, making comparisons problematic.

Derek Blades identifies three important elements of comparability: conceptual, institutional, and statistical.⁸ Member countries are conceptually comparable when they report measure based on international standards such as the System of National Accounts.⁹ The problem is that the different policies of member countries can introduce institutional decisions that make real comparability impossible. For example, member countries can easily calculate quite different estimates of household savings depending upon the precise definitions of “public” and “private” savings for retirement. The standard System of National Accounts treats private pension plans as household savings while social security is seen as government savings. Thus a country that has a generous public retirement plan will skew statistics measuring household savings when compared with a country that places emphasis on private investments.

Finally, there is a significant problem with statistical comparability even when conceptual and institutional problems do not exist. Statistical comparability relates to the quality, range of statistics, and the collection methods of the national statistics office of each country. It is significant that the OECD relies on the national authorities to provide them with timely and accurate statistics.

Conclusion

Isn't it enough to know that OECD collects and disseminates statistics? Why do we need to understand the reasons why the OECD collects statistics? First, statistics are as much a reflection of the variable being measured as of the one doing the measuring. Users need to critically evaluate who is publishing the statistic and why. Second, a basic understanding of how these statistics are collected can greatly influence how we interpret them as well as how they are used to support or refute a specific argument.

Notes and References

1. For a complete list of statistical databases as well as content descriptions go to www.oecd.org/document/44/0,3343,en_21571361_33915056_34004076_1_1_1_1,00.html.
2. For a list of topics see the OECD Index of Statistical Variables, www.oecd.org/dataoecd/26/40/38785295.htm.
3. OECD, “Overview of the OECD: What is It? History? Who Does What? Structure of the Organisation?” www.oecd.org/document/18/0,2340,en_2649_201185_2068050_1_1_1_1,00.html.
4. Benoit Godin, “The Number Makers: Fifty Years of Science and Technology Official Statistics,” *Minerva* 40 (2002): 375–97. Another excellent article by Godin, “The New Economy: What the Concept Owes to the OECD,” *Research Policy* 33 (2004): 679–90 argues that the member countries started in the 1990s to use the OECD to promote a new “elitism” with terms such as information economy, knowledge-based economy, and the new economy. This was a dramatic shift from the earlier industrial economic policies.
5. OECD, “Overview of the OECD.”
6. Ibid.
7. OECD, “Measuring and Fostering the Progress of Societies,” second OECD World Forum on “Statistics, Knowledge and Policy,” held at Istanbul, Turkey, June 27–30, 2007, www.oecd.org/dataoecd/20/52/39173467.pdf.
8. Derek Blades, “International Statistics: An OECD View,” *Business Economics* 21 (July 1986): 37–42.
9. There are other international standards for concepts such as population, trade, and labor force. To view the 1993 System of National Accounts available from the United Nations go to www.unstats.un.org/unsd/sna1993/introduction.asp.

Geospatial News

The Future of Governmental Geospatial Information Access: Geosurveillance

James Boxall

Geography is, pardon the pun, everywhere. We move through and are part of a spatial world. The data gathered about us is becoming more accurate and easier to gather. Access to most of this data is controlled by governments and industry for various reasons. With costs decreasing and ease of use increasing, use by a wider population will increase, as will demand for more and more geographic data to support that use. With so much geography floating around, and so much data about the individual being attached to a location, it has become a perfect—if not critical—time to focus on the whole gamut of access and use questions.

The most serious geospatial data issue today has to do not with access per se, but with the collection and use of such geographically referenced data to monitor citizens in one's own country or abroad—and the sharing of that data among governments. Nearly all things (both natural and built) have some location in space, and are therefore viewed as spatial. When given some type of description (such as latitude and longitude), everything can be geographically referenced and described in database form. These location features can be in many dimensions but most notably the fourth, which allows one to look at change over time or distance. It is the question of how things (or people) move over time that gives rise to the very idea of “geosurveillance.”

Geosurveillance is the act of attaching a location to a person or thing and monitoring its movement over time and space. It is a simple idea and yet it has huge implications when considering some features of new or emerging technologies. One can imagine a day in the very near future when you could walk through a checkout with your grocery cart full, and all the tags are recorded at once without any human intervention. From there, your basket of goods will be tallied and your credit card charged. For many of us, this type of system would seem to be a great convenience—to the checkout clerks it would not be so welcome. We have all seen how closed-circuit televisions are being used in cities all over the world to track who goes where and what they are doing. They can and have been used to track people before, during, and after some kind of attack against one or more persons, be that some sort of terrorist situation or simply some kind of individual crime against a person, such as mugging. People are being watched whether they know it or not. Sadly, many such systems allow for tracking over time and for that to be saved and used as some form of profile of individuals and their movements. Add to this the more traditional practice of actually following by foot or car, and suddenly we can see that governments (or perhaps others such as marketing firms or terrorist organizations) could come to profile individuals based upon their location and use of space—where you go tells as much about you as what you do.

Satellite and Global Positioning Systems (GPS) are both popular and misunderstood in terms of capabilities and usage. Some satellite systems provide “live” images that look more like photos and are nearly real time and require very little post processing. There are others we don't know about that can track people from low orbits, gather live movements, and tag people—things such as unmanned drones flying over battlefields, or even satellites in low orbits that are used by various agencies of governments for purposes of protection and detection. We think of these devices as those of movie magic, where

some actor portrays a sad and mistaken person being tracked across space, culminating in scenes where government agents crash through the doors to nab the person. Of course, many such technologies do not exist beyond the screenwriter's imagination. However, in some cases, technologies follow these films or novels as much as the technical or academic literature.

GPS devices have become very popular. These have become so small, and ever more precise, that the price for a system has dropped to a point where they are affordable to most people. A GPS can be a wonderful device to find someone lost in the woods, or to connect to an onboard navigation system in a car. Certainly, these uses are positive, and most geographic technologies are beneficial. A GPS, in combination with a geographic information system (GIS), can also be used to monitor where things and people are even when they don't know they are being “watched.” The RAND report of 2004 funded by the U.S. government through the Federal Geographic Data Committee came out of the need to review the security implications of making geographic data available to the public. The fear was that such data could be used to plan attacks or find “sensitive” sites one would not want enemies of the nation to find. The view was that a vast quantity of data should be protected. However, the report found that less than 5 percent of data could be problematic and roughly 1 percent should never be let out into the public domain.¹ This report has become one often cited and used by those who seek to reestablish greater access or at least to maintain access to the data that is vital for education and research.

The real question is: Who has data access and what is the use, intended or actual? In a world where location data can be collected and moved around the globe instantaneously, the questions become more difficult to handle. And this discussion does not even begin to address the problem of archiving the data. Huge volumes of spatial data are collected every minute—terabytes from satellites alone! How we deal with this is critically important because it also impacts the ability to profile and tag a person over time—over a long period, far beyond the intended use. This gives rise to the nefarious aspect of geosurveillance known as “geoprofiling.” Just as health data based upon location can be used to limit insurance coverage, so too can profiling by location be used against a person. Where you move, shop, eat, work, and all elements of your daily life leave a pattern on the earth that show where you were at any time. It is statistically possible to design algorithms that use such motion and location data in order to determine what people are likely doing and to predict or point to a next location. Who has the right to access this data and who has the right to collect it?

This is an ethical issue as much as a legal or technical question. Those in the information management profession are

best served if they are aware of these questions. The geographic information governments provide and collect is critical to discourse and understanding the world around us, and we all have an inherent right to know something basic about the place within which we are situated for a host of reasons:

- Where you are has always mattered.
- Where you are now is known by more people than ever before.
- Who knows where you are is open for speculation.
- Who gains access to the data is now open for legal interpretation.

The technological ground is shifting beneath us and new spatial tools and data sources are proliferating and becoming more accessible to more people who can use them regardless of geographic understanding. How we deal with this within the library context is open for research and more contemplation. And regardless of how we deal with those information custodians from whom we seek access—and whether we provide data consciously of our own accord or without our knowing it—someone is watching you.

James Boxall, Director, Dalhousie University GIS Centre, james.boxall@dal.ca.

Note

1. John C. Baker et al. *Mapping the Risks: Assessing the Homeland Security Implications of Publicly Available Geospatial Information* (Arlington: RAND Corp., 2004).

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International Documents Roundup

International Survey Data: Challenges and Strategies for Collection Development

James Church

As a “hybrid” international documents librarian I liaise directly with our economics department, working closely with faculty and students. One of the items graduate students request most frequently from me is survey data from developing countries. In the not-so-distant past, students had to move mountains to acquire data sets like these. Ten years ago, it would have been almost out of the question for a graduate student to approach a librarian and request household survey data from Brazil or enterprise data from India. But thanks to the Internet, students can easily find descriptions of international surveys online, and sometimes the data files themselves.

If the data cost money, students are coming to librarians and requesting the library purchase the database.

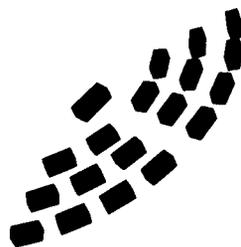
Since survey data has not been traditionally collected by most libraries, it is not something most government information librarians feel comfortable dealing with, and for good reason. It often costs hundreds or thousands of dollars; can be fiendishly difficult to acquire; and because the data is often confidential, containing the names of individuals or firms, often necessitates difficult contract negotiations and other legal hassles. In addition, survey data, or “microdata,” differs markedly from national level or “aggregate” data in that it is typically composed of raw data that needs to be interpreted using documentation (for example, a codebook) or analyzed using statistical application software such as STATA or SPSS. But should we neglect this issue in an era of rising user expectations and a burgeoning interest in the global economy? In my view, in an age where this information is easily accessible in digital format, we ignore acquisition of this form of government information at our peril. Librarians need to develop innovative collection development models that meet the research needs of our communities. Such models will require mediation and funding from libraries.

Aggregate Data vs. Microdata

Aggregate data, for the sake of this article, can be defined as a data total created from smaller units. For instance, the population of a country is an aggregate of the populations of the cities and rural areas from that country. Statistical agencies like the World Bank and the U.S. Census Bureau often collect smaller data units from surveys of households or firms and then aggregate them for publication in the form of statistical tables. Aggregate level data is sometimes referred to simply as “statistics”—the means, ranges, and other aggregate descriptors of the underlying microdata. Examples of statistics in both the international and domestic arenas come readily to mind, including most of the statistical tables found in the *Statistical Abstract of the United States* and much of the national data found in international databases like World Development Indicators and Source OECD.

In contrast, microdata files contain information on individuals, firms, or other smaller or discrete units of a population. Microdata is compiled from surveys created by researchers at think tanks, universities, and *governments*. The U.S. Census Bureau conducts several surveys with which most govern-

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ment information librarians are familiar—for example, the Current Population Survey, County Business Patterns, and the American Community Survey. To protect the confidentiality of the participants, individual names of households or firms are removed or “anonymized” and the data documentation is relatively easy to use. A quick search in the Intra-University Consortium of Social & Political Research (ICPSR) database will uncover many such surveys, and many others are freely available via the U.S. Census web site and the sites of other U.S. government agencies.¹ Recently, ICPSR created a new division called the International Data Resource Center (IDRC) that acts as a clearinghouse for its international data.² If you are like most other government librarians I know, you will quickly run to your data librarian for help downloading and manipulating these files.

The New Online Documentation

The problem for international documents librarians and librarians who deal with development economics is that many countries do not belong to ICPSR or any other consortium—or if they do, our universities are not members. These data files are quite literally all over the map, and until recently, they were almost impossible to acquire. But in recent years, new tools (not to mention Google) have brought these data sets to the forefront. One of the best examples I know of is a site developed by the International Household Survey Network (IHSN), an organization “seeking to improve the availability, quality and use of survey data in developing countries” (www.internationalsurveynetwork.org/home). Current members of the network include eighteen international governmental organizations, including the World Bank, the United Nations Statistics Division, UNICEF, and the International Labour Organization.³ The chief area of interest for librarians is, naturally, the catalog, which allows browsing for surveys by country and subject. For example, a country search for India retrieves seventy-one national surveys, which can be broken down into labor force surveys, living standards measurement surveys, demographic and health surveys, and more. The metadata provided is helpful, and includes the names and addresses of the producers, coverage, method, sample size, an abstract, and dates. If reports on the results and questionnaires are available, links are usually provided, as are links to the sites of the survey producers. The IHSN is not the only site providing information of this kind. Other international survey databanks include the Demographic Health Surveys (which features an online tool that allows users to select countries and indicators to create customized tables), the World Bank Living Standards Measurement Surveys, and the UNICEF Multiple Indicator Cluster Surveys.

Aside from the usual problems with these gateway sites (broken links, invalid e-mail addresses, and so on), one issue should be obvious. All these reports, questionnaires, and other metadata are useful, but most of the time, students don't just want the statistics or the results—they want the microdata for their own purposes that allows researchers to perform cross-tabulations, and can lead to the discovery of facts and observations other than those for which the survey was originally intended. This is where the trouble starts. Some government agencies make the data freely available online in anonymized form. IHSN is urging governments to do this and offers specific principles and guidelines for anonymization.⁴ But in many other instances, the information is not free, or it has not been anonymized. The user (typically a broke and hapless graduate student) is now confronted with a host of obstacles.

Financial Considerations

Unfortunately, many survey producers have discovered that people are willing to pay for this information. Surveys can cost thousands of dollars to prepare and conduct, so this is reasonable. But the really large surveys, particularly longitudinal surveys (surveys conducted over time) and panel surveys (surveys studying the same group of people), can be extremely expensive. Some of the surveys for which I have received requests cost hundreds of dollars, which, for a research library, is not a huge obstacle. But others cost thousands of dollars: the most expensive I have been asked about to date is the European Union Labour Force Survey, which costs 8,000 euros to obtain. I have also received requests for floating population surveys from Shanghai, household surveys from Brazil, enterprise surveys from India, and longitudinal monitoring surveys from Russia. My home institution, University of California, Berkeley, has a higher concentration of students doing development economics research than most, but we are certainly not alone. Princeton University has done an exemplary job of acquiring and providing international survey data to students and faculty. The Princeton Data and Statistical Services site (www.dss.princeton.edu/cgi-bin/dataresources/guides.cgi) is a model for subject and country access to this information, offering guidance on international surveys across a wide range of subjects and countries. Some of these data are free or simply require registration, some are available via ICPSR/IDRC, and some are exclusively for Princeton. I know my colleagues at Stanford University are getting these requests and struggling with the same issues. Quite simply, international survey data is in demand. The issues of globalization and the international political economy are pressing, and research conducted using microdata can offer insights not obtainable from the aggregate data.

Privacy, Contracts, and Sharing

While the costs of obtaining this data are high, the problem is not insurmountable if libraries and consortiums such as ICPSR and IHSN begin to engage in strategic collection development policies and best practices. But this is not the most pressing issue; the main problem is legal, especially for state universities hampered by a quagmire of government regulations. As noted previously, some surveys contain the names of households, individuals, or firms. In some cases, the data has been anonymized, but in the developing world, this presents an additional cost, and is sometimes not done. Survey producers wish to protect the identities of their respondents, and often require researchers to sign confidentiality agreements before agreeing to provide data to a researcher (see figure 1).⁵

There are a number of thorny problems with this. For a private researcher to sign this kind of agreement is not problematic. These are the users for whom this data is primarily intended. But most libraries have never been involved in this kind of legal contract, and are likely to be incredulous. The first issue is that the library would need to store such personal data in a secure location in order to prevent “Joe Public” from walking in off the street and discovering the sexual histories of individuals in Russia or the names and wages of textile workers in Mumbai. The second is that, in order to ensure confidentiality, the library would be forced to play the intermediary between an individual and a foreign government. If there is a breach of confidentiality, who would be liable? (My limited sense of contract law tells me that the library could sign a disclaimer and place all responsibility on the user, but apparently it is not that simple.) The third issue, and potentially the most problematic, is that some statistical agencies want to see the results of research conducted using their data. Naturally. The data was compiled to solve pressing economic and policy issues in their country, and if someone uncovers a potential solution, they want to know about it. Unfortunately, experts who work with survey data

at the World Bank inform me that student compliance with this stipulation is approximately zero. Unless these issues are resolved, most libraries will not get into this business, and graduate students will remain frustrated by glimpses of microdata (microdata metadata) that they can read about, but not use.

A Potential Solution

I have been having conversations with colleagues about this problem. The easiest and perhaps the wisest approach would be to do nothing, and advise graduate students to go abroad to get the data (not a bad idea, since government bureaucrats have a habit of ignoring e-mails, phone calls, and faxes). This certainly could be a wise strategy when the survey documentation is indecipherable without assistance from a cryptographer. A second approach is to suggest that students secure funding to obtain the data themselves via a grant or departmental assistance. This certainly is done, and often with excellent results. However, both of these approaches cut the library out of the picture as an information provider and place the burden on the user. That is probably not a good idea in the current academic climate. In my view, the library profession is under siege from

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For the purpose of

hereby undertake to comply with the following terms and conditions:

- (i) The confidentiality of the unit level data will be maintained and adequate precautions would be taken for not disclosing the identity of the units directly or indirectly.
- (ii) The data will be used only for statistical research and analysis and not for any other purpose.
- (iii) The data obtained from NSSO will not be passed on either wholly or partially with or without profit to any other data user or disseminator of data with or without commercial purpose.
- (iv) The data user shall acknowledge the data source in the research output. The research outputs along with the short summary of conclusions would be made available to NSSO in the form of hard copy or on electronic media free of cost whenever requested by NSSO.

Signature.....

Date..... Name

Figure 1. A typical form from the National Sample Survey Organisation.

a number of powerful economic and societal forces. Most government information will be available exclusively in digital format soon, if it is not already. In a world of e-libraries and Googlezons, our role as catalogers and even selectors of government information is diminishing, and in order to remain relevant we need to create new niches for ourselves. Providing the expertise and funding needed to acquire international surveys is potentially one such niche.

It may be time to consider a more user-driven collection development policy. Libraries have been buying books and serials for years, and until recently have not been paying extraordinarily close attention to usage before making purchases. If you select as I do, you probably purchase a monograph based on the academic appeal of the topic or author and the quality of the publisher (not to mention the price). But the fact remains that we buy many books, documents, and microfiche that few people use. In today's fiscal environment, it seems misguided to spend thousands of dollars buying items students have not specifically requested while neglecting to purchase data that could lead to the publication of a doctoral thesis. This may be why so many economics students and faculty whom I have spoken to do not see libraries as meeting their needs. I'll never forget the time I ran into a famous economist at a local café. His remark, "The library? Oh yeah, I've been there once," made me cringe.

Change is possible, but we need to rethink our mission as librarians. It clearly does not make sense for us to begin haphazardly acquiring expensive international surveys with poor data documentation and absurd legal provisions. Instead, I suggest careful consultation with faculty and graduate students and a thorough negotiation process with survey producers. Then we can begin to collaborate with consortiums such as ICPSR and make strategic purchases of datasets. We may need

to hire legal specialists to negotiate with foreign governments to handle the questions of confidentiality, venue, and publication rights. As time goes on, this will become easier. But the time to begin is now.

Notes and References

1. The ICPSR (www.icpsr.umich.edu) is the world's largest archive of digital social science data and a good source for international survey data. Membership, however, is concentrated in western countries. There are several other national and international numeric data archives (see www.dialogical.net/socialsciences/directories.html for a decent list) but none of them are in the developing world.
2. For more information on the IDRC (www.icpsr.umich.edu/IDRC), see this press release, dated Nov. 2007: www.icpsr.umich.edu/ICPSR/org/announce.html#idrc.
3. See www.internationalsurveynetwork.org/home/?lvl1=about&lvl2=members for a complete list of members. The web site also has excellent sections on the legal issues on dissemination of microdata, the rationales for doing so, and suggestions for best practices.
4. Anonymization inevitably leads to some information loss, which is of course why students and researchers prefer to get at the confidential data! For more discussion, see www.internationalsurveynetwork.org/home/?lvl1=tools&lvl2=anonymization&lvl3=loss.
5. Taken from a typical form from the National Sample Survey Organisation (NSSO) from the government of India. See www.mospi.nic.in/mospi_nssu_undertaking_form.htm.

What Difference Does It Make What Congress Published?

An Introduction

Ben Amata, Contributions Editor

One might be surprised by even asking such a question, since many libraries own the *American State Papers* that contain many early Congressional publications, have indexes that appear to catalog Congressional hearings, committee prints and House and Senate reports and documents, and possess indexes and microfilm of Congressional proceedings and debates from their inception. But in fact, we do not know exactly what Congress published during the early Republic from the period 1789–1817 (First through Fifteenth Congresses). To answer this question, GODORT, RUSA–History Section, and the ACRL–Rare Books and Manuscript Section brought together for a 2007 annual program a publisher, historians, and an archivist to address an important publishing problem for librarians, historians, and scholars.

August Imholtz Jr., vice president, Readex Documents Division, provides a history of early Congressional publishing and identifies the numerous publishing problems that led to

the incomplete production and distribution of their publications. Fred W. Beuttler, deputy historian of the U.S. House of Representatives, utilizes the debates over the John Jay Treaty to illustrate the incomplete portrait that exists with our early Congressional publications and the need to include other primary sources in considering historical questions. Jessie Kratz, archives specialist at the National Archives and Records Administration explains the importance of unpublished petitions to Congress for historical research and problems with their availability, and Professor Charlene Bickford, director of the First Federal Congress Project, describes the project to publish the definitive *Documentary History of the First Federal Congress, 1789–1791* and the problems discovered in locating material.

The *DttP* staff thank the above program contributors for writing up their presentations and making them available to our readers.

The American State Papers

The Incomplete Story, or What Was Selected and What Was Omitted

August A. Imholtz Jr.

The printing of bills, acts, and documents in the first Congress got off to a fitful start. Each house passed a special resolution for each and every bill or other document it wished to have printed. This practice, as Laurence Schmeckebier noted, “was soon found impracticable; and the whole subject of printing was referred to a special joint committee.”¹ The report of that Joint Committee on Printing, adopted by both houses, provided that:

600 copies of the acts of Congress, and 700 copies of the journal, be printed and distributed to the members of the legislature, to the executive and judicial, and heads of departments of the Government of the United States, and the executive, legislative, and judicial of the several states.²

What the report did not specify was the number of copies to be printed of the committee reports and other working papers of the House and Senate, what we would today call reports and documents (though the formal distinction would not be made for several decades), and that lack of a specified number of documents to be printed is of course part of the problem we face today in accounting for the public papers of the first fourteen Congresses.

For the House and Senate during the first fourteen Congresses there were some dozen printers. During that period the major problems associated with congressional printing were, as has been said before, the following:

- no uniform numbering system for the documents—this meant there was no simple, uniform method of organization, citation, or retrieval;
- no uniform size for the printed documents—one can see in the legislative files of the NARA some reports printed on pages roughly four by six inches (the Yale College Library catalog of 1823 described its congressional hold-

ings as a set of pamphlet volumes consisting of six folio volumes, one quarto, and fifteen octavo-sized volumes);

- no simple uniform distribution method, partially a consequence of want of a numbering system; and
- no uniform editorial quality control.³

Timothy Pickering began on December 8, 1813, to introduce a series of resolutions on printing culminating in a December 14, 1813, resolution, passed by the House, which provided:

That the documents which were the subject of the order of the House of the 8th instant, instead of having their pages numbered in one continued series of numbers from the commencement to the termination of each session, shall be themselves numbered in a regular series in order of time in which they shall be directed to be printed; the number of each document to be distinctly marked on the top of the title page and of every subsequent page, in addition to the number of each page of such document.⁴

Unfortunately, Pickering’s resolution, which would lead to the numbering system adopted in the Fifteenth Congress and universally applied for the life of the U.S. *Congressional Serial Set* was too little, too late—it applied only to octavos and was not retroactive. One does, however, still come across congressional publications with the Pickering numbers. Figure 1 shows at center top what a Pickering number looks like.

The small number of copies in which many of the documents were printed, the loss of publications during the War of 1812, and the general ravages of time attendant on the problems of preservation of those original publications all led to a move to reprint, and in a few cases print for the first time, a record of the first fourteen Congresses. In the January 4, 1832,

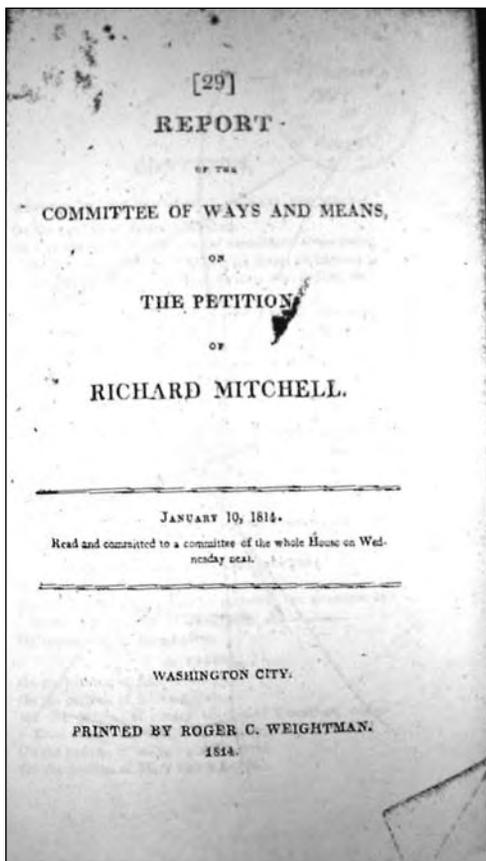


Figure 1. Pickering number. Bound collection of early House Reports, House of Representatives Library. Credit: A. A. Imholtz Jr.

authorize printers Gales and Seaton to reprint the publications, which they called the *American State Papers*. The first twenty-one volumes were produced under the resolution of March 2, 1833, and the final seventeen volumes under the act of June 12, 1858. The papers were, as stated on the title page of the first volume, selected and edited under the authority of Congress by Walter Lowrie, secretary of the Senate, and Matthew Saint Clair Clarke, clerk of the House. In 1837 the editorship of the Senate materials passed to Ashbury Dickens and Walter S. Franklin and, on the House side, eight later editors. The chief compiler, however, was General William Hickey, who assessed the papers from the first appropriation to the issue of the final volume in 1861.⁶ In spite of Hickey's efforts, Mr. Smith from the House Committee on Printing would complain as late as July 5, 1884, in his report *Compilation of the Reports of the Committees of the House of Representatives* that "the reports of committees . . . [from the First to Fourteenth Congress] are very rare, as there is not even a complete file of them in the Congressional Library; this is owing to the destruction of the records of the Capitol in 1814."⁷

report of the secretary of the Senate and clerk of the House entitled *Republication of Congressional Documents* it was noted that "the great mass of these documents [the papers of the first fourteen Congresses] were to be found only in the archives of the two Houses. No complete set of them existed in any other place."⁵ Congress approved the plan to

And who was this William Hickey and why should we care? Hickey, a lifelong Washingtonian and Southern at heart, served first as executive clerk of the Senate, then reading clerk, assistant secretary, and finally acting secretary of the Senate.

President Fillmore wrote to him on October 13, 1851, saying, "Knowing that you are an index to all proceedings of the Senate, I venture to enquire of you whether any Judge of any territory has ever been removed by the president, and if so give me a reference of the case."⁸ He believed his book on the Constitution, as he said in a letter to Senator James A. Pearce, "will present a view of the subject [slavery] which the reasonable men of the north will acknowledge to be sound and conclusive upon which nothing short of revolution can reverse or destroy."⁹ He was pro-slavery, drafted a joint resolution to abolish the subject of slavery from Congress, and wrote several pamphlets such as *The Negro War—The Disguise Thrown Off*, in which he says

this War stand[s] confessed and declared an Abolition War for the supposed benefit of the American Negro by the murder of the white men of America . . . an avowal and adoption universally by the entire Republican-Abolition party—of the murderous, villainous and diabolical felony of the cut-throat John Brown.¹⁰

General Hickey, not being able to republish everything, selected papers to be included. We know this in several ways in addition to the printed testimony of the publishers and the statements of the nominal editors: from the papers in the National Archives that are not in the *American State Papers* and from the bibliography, entitled *Public Documents of the First Fourteen Congresses, 1789–1817*, prepared by army officer General Adolphus Washington Greely in 1900 and issued as Senate Document 428, Fifty-sixth Congress, First Session. Greely was the Arctic explorer and leader of the ill-fated Lady Franklin Bay Expedition. He later, in addition to becoming a bibliographer, played a role in the Spanish-American War and its aftermath in Cuba and the Philippines as the chief signal officer of the United States Army. There are some 6,300 publications in the *American State Papers* but only two-thirds of them, or about 4,100, cover the first fourteen Congresses; the other third overlaps chronologically with the *Serial Set* up to 1838, at least in the Naval Affairs class of the ten classes into which the documents were divided and published. Greely, however has approximately nine thousand entries for the first fourteen Congresses and for the most part omits bills and resolutions! So several questions arise, and may not ever be

resolved: why did Hickey reject some items or classes of items, how thorough or complete was his review, and how might Hickey's anti-blacks prejudice have influenced his selection of slavery materials for the *American State Papers*?

What other controls do we have for congressional publications beyond Greely? First, the record of the House and Senate *Journals* themselves. But here again not every item that was actually printed has in the text of the *Journals* the statement "ordered to be printed." The magisterial *American Bibliography of Charles Evans* must be mentioned as well as the continuation of his work by Ralph Shaw and Richard Shoemaker in their *American Bibliography, A Preliminary Checklist for 1801–1819*. But even they fail to be complete, as bibliographies almost always must. For Evans, take the year 1793. He lists 67 items, whereas Greely, who knew his work was not complete, has 167. Likewise with Shaw-Shoemaker; for 1809 they enumerate 274 items in contrast with Greely's 213; however, Greely does not include bills, resolutions, and motions as Shaw-Shoemaker do, so that means to Greely's 213 we must add 107 House bills and 23 Senate bills for a total of 343 publications.

Now let's look at some of these publications that escaped the nets of the bibliographers and compilers.

This report (see figure 2) on *Mr. Chittenden's Motion* of November 10, 1808, is not in the *American State Papers* nor in Greely's bibliography but is listed in Shaw-Shoemaker.

The 1810 *Report of the Select Committee on the Petition of Sarah Easton and Dorothy Jones*, depicted in figure 3, is not to be found in the *American State Papers* nor is it listed in either Shaw-Shoemaker or Greely.

Finally, the interesting point about this last illustration (see figure 4) is not the title page of the *Amendatory Report* of June 22, 1809, but rather the scribbled page, the last and originally blank page of the preceding report. These two pages are from a bound compilation of reports still in the original binding and for a long time shelved in the old Supreme Court chamber in the Capitol. As you see, a clerk either practicing his penmanship or getting his quill pen to flow properly, scribbled the words and parts of the words "Resolution, Resolved, Kingdom, Principality, etc." on the final blank page of the report much as we sometimes scribble with a ball point until the ink flows properly. We know this was done before the report was bound in the composite volume because the top line of the scribbling was severed when the reports were trimmed for binding. It illustrates the fate of some of these old "separates," which survived only by being bound. One can only wonder how many other reports and documents would have been used for scrap paper and then discarded. Thankfully some clerk almost two hundred years ago saved this one.

How were those documents, which we have just seen, and many others preserved? Two ways: either as separates (that is, the original broadsides or multileaf printed items) or as items bound into composite volumes. The separates are pretty straightforward—they survived as they were originally produced—but the bound volumes are another story or series of stories. A number of years ago I was looking for composite volumes of these congressional publications at Harvard's Houghton Library and, to my surprise, found none. I mentioned this to John Collins, a very learned librarian at Harvard, and he suggested I go over to the Law Library and see what they might have.

David Ferris, a librarian in the Rare Book Department of the Law Library, knew immediately what I was looking for and brought up for me a truckload of volumes that had belonged to Justice Joseph Story. These were compilation volumes of largely congressional printed publications that Story

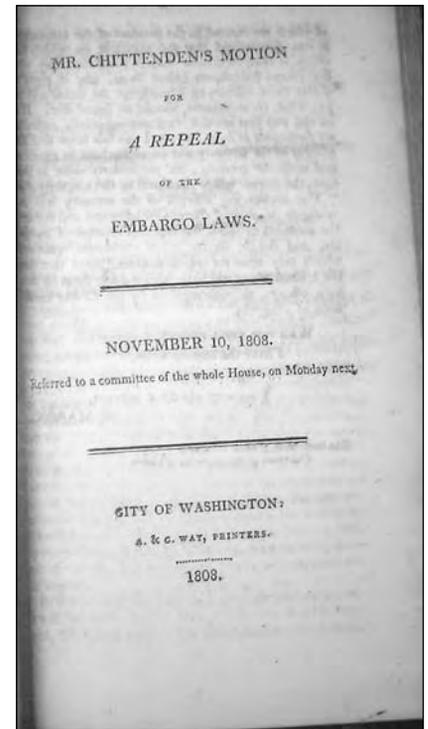


Figure 2. Mr. Chittenden's. Bound collection of early House Reports, House of Representatives Library. Credit: A. A. Imholtz Jr.

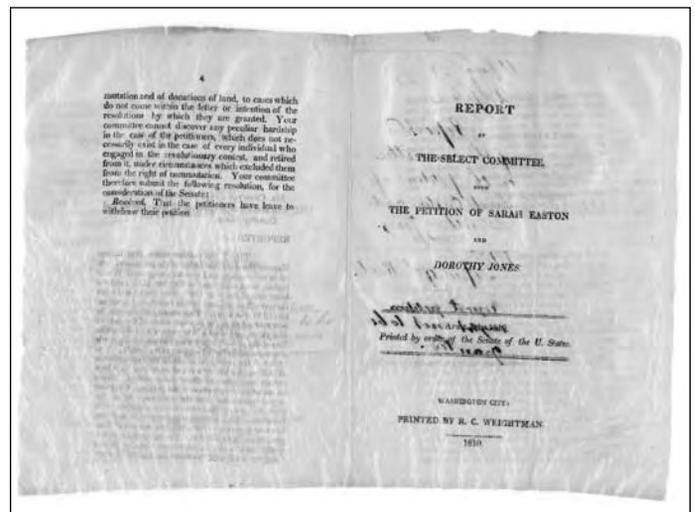


Figure 3. Sarah Easton. RG 23, Records of the U.S. House of Representatives, NARA. Credit: NARA



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Conflict and Compromise in the Federalist Era

The House Debates the Jay Treaty, 1795–96

Fred W. Beuttler

Late on a July night in 2006, I was sitting with a group of high school history teachers in the gallery of the House of Representatives, listening to a sparsely attended debate on a resolution denouncing the actions of a foreign government. One of the teachers asked me, “Isn’t this just a waste of taxpayer’s money?” Not only were there very few members on the floor, but the House did not have responsibility for foreign policy, she said. No, I countered, because Congress was about the only place in American government, even now, where the representatives of the people, rather than executive branch officials or State Department bureaucrats, can influence American foreign policy.

The making of foreign policy was and is an elite affair, designed by the framers of the Constitution to be insulated from public opinion.¹ For the first few Congresses, the Senate, which has constitutional responsibility for approving treaties, met in closed session, with only the briefest of reports, and no record of debate. The House of Representatives, in contrast, has from the beginning met in public, except for a few, very rare, instances. The Constitution requires each chamber to only keep a journal of its proceedings, rather than a record of debates. As a result, the record of House, and later Senate, debates were made by private reporters, often working for newspapers. These reports were compiled by Joseph Gales and William Seaton between 1834 and 1856, and published originally as *The Debates and Proceedings in the Congress of the United States*. Now known as the *Annals of Congress*, they reprint the debates from the First to the Eighteenth Congresses (1789–1825).² The *Annals* were succeeded by the *Register of Debates*, then the *Congressional Globe*, and from 1873 to the present, the *Congressional Record*. As the *Annals* were not published contemporaneously, but generally from newspaper accounts, many of the speeches were paraphrased, rather than presented in verbatim transcription.

The *Annals*, of course, are not the only source for congressional action in this early period; each chamber ordered the printing of numerous reports, documents, and debates, most of which were later compiled in *American State Papers*.

The question arises, however, whether these two sources for the early Congresses are complete records of legislative debate and action. The First Congress has been well researched, with numerous primary sources uncovered and published, but what about the Second to the Eighteenth Congresses?³ Is it warranted to reinvestigate and republish the primary source material published by *and about* these Congresses? One way to answer this question is to closely examine the record of one of the most important debates in the early history of the House of Representatives, the debate over the Jay Treaty, one of the first times the people’s representatives claimed a right to participate in the shaping of foreign policy.

The Washington Administration and the Jay Treaty

The United States in the 1790s found itself caught between two superpowers, Britain and France, each attempting to manipulate American policy in its favor. The United States still had an alliance with France, dating from 1778, but with the coming of revolution in France, and especially after the trial and execution of King Louis XVI, the Washington administration was reluctant to get involved in European affairs. In April of 1793, revolutionary France declared war on Britain and Holland. While the vast majority of Americans “still sympathized with France and its revolution,” they also “wanted political isolation from Europe, the commercial benefits of foreign trade, and above all, peace.”⁴

The French situation increased the emerging party differences in the second term of Washington’s administration.

Many of these differences had originated in Alexander Hamilton's attempts to centralize authority in the executive branch, especially in his proposed systems of banking, finance, and credit, along with his encouragement of manufactures. Thomas Jefferson's competing vision of an agrarian republic contrasted with Hamilton's at almost every point, and this vision encouraged the spreading of populist Democratic-Republican societies, to solidify the opposition.

While conditions with revolutionary France were tense, they were not nearly as difficult as those with Great Britain. A decade after the Treaty of Paris, Britain still had not fulfilled many of the provisions of that treaty. Britain still held the western forts, and it was encouraging Indian wars against American frontier settlements. It had closed the West Indian trade to American ships, and refused to respect American neutral rights in shipping. While the impressment of seamen was not the issue it would become ten to fifteen years later, Britain was denying neutral rights, seizing around 350 American ships in 1793 and 1794.

To resolve some of these issues, President Washington commissioned Supreme Court Chief Justice John Jay to negotiate a treaty with Britain. After many months, the "Treaty of Amity, Commerce and Navigation between His Britannic Majesty and the United States of America" was finally signed on November 19, 1794. There were six major provisions of the treaty: British withdrawal from western forts, arbitration for wartime debts, compensation for the confiscated American ships, arbitration of the border with Canada, trading rights for American ships in the West Indies, and granting of a favored nation trading status to Britain.

It clearly was a lopsided treaty, as Britain basically did not commit to anything that it had not pledged earlier or was to do by right. Neither did it establish the traditional "rights of neutrals" to the seas, tacitly acknowledging Britain's need to control the seas and thus barring further trade with France.

Jay probably obtained the best treaty he could under the circumstances, but when its contents leaked, the treaty was strongly opposed throughout the nation, no more so than in the South, because Jay, who was opposed to slavery, had not sought compensation for slaves freed in the revolution. President Washington did not like it, but there were few other policy options available, short of risking war with Britain.⁵

Washington submitted the treaty to the Senate, meeting in special session, on June 8, 1795. The Senate was still holding its debates in secret, so there is no record, but the attitude of at least one senator can be discerned; a leaked copy of the secret treaty soon appeared in an anti-administration newspaper. Nevertheless, the Senate ratified the treaty on June 24, 1795, by a vote of twenty to ten, exactly the two-thirds

needed. Washington signed the treaty on August 14, 1795.

Popular reaction to the treaty was divided, with rival campaigns on both sides of the issue. Federalist supporters of Jay, while "often ideologically elitist," were "operationally democratic," and they enlisted their followers in street demonstrations in favor of the treaty.⁶ Democratic-Republican societies upped the ante, burning images of John Jay in effigy up and down the coast. So many demonstrations were held that it was said one could ride at night by the light of the fires. As a result, the Jay Treaty became one of the key issues that solidified and popularized the first party system.

Much of this party spirit was encouraged by partisan newspapers. John Fenno's *Gazette of the United States* was first published in New York, moving to Philadelphia when the federal government moved there in 1790. The paper was strongly supportive of the Washington administration, and served as its semi-official organ. Hamilton frequently wrote for the paper, often under pseudonyms, and even raised money to subsidize the paper. As policy divisions within the administration increased, Jefferson and his allies set up opposition newspapers, first Philip Freneau's *National Gazette*, and later the *Philadelphia Aurora*, published by Benjamin Franklin Bache.

Bache was one of the leading popular Democratic-Republicans. The grandson of Benjamin Franklin, Bache took over his grandfather's printing business after inheriting his equipment. Bache was a radical and militant partisan, vitriolic and intensely, passionately, anti-Washington, whom he considered a monarchist. It was Bache who received the leaked treaty from a Virginia Republican senator opposed to the treaty. Bache published it on July 1, and distributed it throughout the states. Bache continued his anti-Federalist radicalism in a succession of newspapers; he would later be arrested under the Sedition Act for criticism of President John Adams, but soon after died of yellow fever, in 1798 at age twenty-nine.⁷

Foreign Policy Crisis: The People's Role in Foreign Policy, March–April 1796

After Washington signed the treaty in August 1795, the debate over the treaty subsided for a season. The Senate had ratified the treaty in special session, but the House, elected in November 1794, only convened on December 7, 1795, its normal constitutionally appointed time. Republicans, led by James Madison, were dead set on destroying the treaty, but the question was how. The Constitution did not provide for a direct foreign policy role for the House of Representatives, and the treaty had already been ratified by the Senate and signed by the president. The treaty required, however, arbitration over several outstanding issues. Arbitration commissions needed to

be funded, and therefore, to implement the treaty, an appropriation of \$90,000 was necessary. Here was where the House could influence the process.

The Fourth Congress had 106 representatives, divided between 59 consistently Democratic-Republicans, and only 47 Federalist. The House majority was so antagonistic toward Washington that when it came time in February to vote the customary adjournment for a half hour to pay compliments to Washington on his birthday, it was voted down.⁸

As Madison and other House Republicans plotted over how to block the treaty, Edward Livingston (DR-NY) introduced a resolution on March 7:

Resolved: That the President of the United States be requested to lay before this House a copy of the instructions to the minister of the United States, who negotiated the treaty with the king of Great Britain . . . together with the correspondence and other documents relative to the said treaty.⁹

Livingston had jumped the gun a little, because Madison was not quite ready to line up supporters, especially as Livingston's resolution had the veiled threat of the impeachment of John Jay behind it. Madison tried to soften the resolution with an executive privilege exemption, but his amendment was voted down, and the original resolution passed, 62–37, on March 25.

President Washington could have claimed executive privilege in his reply, but he decided to up the ante, by arguing that it would be unconstitutional to turn over any documents:

As therefore it is perfectly clear to my understanding, that the assent of the House of Representatives is not necessary to the validity of a treaty; . . . and as it is essential to the due administration of Government, that the boundaries fixed by the Constitution between the different departments should be preserved,—a just regard to the Constitution and the duty of my office, under the circumstances of the case, *forbid a compliance with your request.*¹⁰

A policy disagreement was quickly becoming a constitutional crisis. Since the House could not get the documents, the majority proceeded to discuss the actual merits of the treaty. The Federalists protested that this itself violated the Constitution, which limited treaty power to president and the Senate, but debate continued, lasting on and off for about a

month. The bill at issue was the appropriation for the arbitration commission.

The Federalists claimed disastrous consequences if the appropriations to implement the treaty were voted down. Ailing and cadaverous, Federalist Fisher Ames took to the floor on April 28, claiming that he would outlive the Constitution and the nation itself if funds were not voted, for it would plunge the new nation into war:

In the day time, your path through the woods will be ambushed; the darkness of midnight will glitter with the blazes of your dwellings. You are a father; the blood of your sons shall fatten your corn-field. You are a mother: the war-whoop shall wake the sleep of the cradle! . . . By rejecting the posts, we light the savage fires—we bind the victims!¹¹

Ames reached to the central constitutional issue: “This House is not the nation—it is not the whole delegated authority of the nation. Being only a part of that authority, its right to act for the whole society obviously depends on the concurrence of the other two branches.” The “venerable image of our country's honor” required that it keep its promises. “Every good citizen makes that honor his own, and cherishes it not only as precious, but as sacred.”¹²

Federalists John Adams and Judge James Iredell found themselves in tears after the speech. “God, how great he is.” They saw no dry eye in the whole House save for “some jackasses who had occasioned the necessity of the oratory.”¹³ The Democratic-Republicans, however, were unimpressed.

On April 29, 1796, the House, in Committee of the Whole, voted on the appropriations, 49–49. This forced a vote by the speaker, Democratic-Republican Frederick Muhlenberg of Pennsylvania. Which way would Speaker Muhlenberg vote? He was not totally disinterested in this case, as his son was courting the daughter of a Federalist. “If you do not give us your vote, your son shall not have my Polly,” he was told.¹⁴ Muhlenberg voted for the appropriation. In retaliation, he was later attacked and wounded by his brother-in-law, an irate Republican. Muhlenberg refused to run again for the House, retiring soon after. The bill passed the Committee of the Whole by one vote, and the treaty was saved.¹⁵

Publishing the Debates

The debate on the Jay Treaty was one of the most significant in the history of the House on the people's power in foreign affairs. But what was really said during the House debate? The House did not employ a transcriber. Gales and Seaton, in their

version in the *Annals of Congress*, explained their method:

The Debate on the Subject of the Treaty with Great Britain, and of the Constitutional Powers of the House with respect to Treaties, having occupied the time of the House nearly every day for a month (commencing the 7th of March and ending on the 7th of April,) it is deemed preferable . . . to present the whole in one body consecutively, rather than to spread it in detached parts intermixed with the other subjects, through the general proceedings of each day. *This debate, as here given, possesses a character for authenticity and correctness which does not belong to the Newspaper reports of the day, it having undergone the careful revision of the speakers themselves.*¹⁶

The *Annals* text is readily available and is currently the standard version used by almost all the historians of the Jay Treaty debate.

The other main source is *Debates in the House of Representatives . . . upon the Constitutional Powers of the House, with Respect to Treaties* (1796), and a second volume, *Debates in the House of Representatives . . . with Respect to Treaties and upon the subject of the British Treaty* (1796), both published by Benjamin Franklin Bache. A close examination of the *Philadelphia Aurora* reveals that Bache was publishing eighty-page sections of the debates by subscription. In almost every issue of the newspaper, from March 22 to October 4, 1796, there are advertisements announcing the publication of eighty-page sections, at twenty-five cents each, weekly, “while there is sufficient matter.” The copies could be mailed in half numbers, “which half will weigh less than the frank of a Member of Congress.” On April 11, Bache announced that the first half number, of forty pages, would be published in five days. By May 4, five half numbers had been published, with the total first part being about six whole numbers. On June 15, the whole first part was published and sold for \$1.25. While the record is not clear, it appears that the second series was partially published in serial. By October 4, the complete two volumes were offered for sale at \$2.50.¹⁷

The publication history of the Bache version of the treaty debates provides a clue as to their purpose. Bache was a fierce partisan and a militant opponent, not only of the Jay Treaty, but also of the Federalist administration. Bache considered the treaty treasonous, not just for its content, but also because it was negotiated and ratified in secret, by a cabal of the unelected. As Bache lamented on July 4, 1796, “How far

the lapse of a few years since that glorious period has brought us back toward the point from whence we started. Since the late treaty has become the law of the land it may be a doubt whether our independence be more than nominal.”¹⁸ The year 1796 was an election year, and Bache wanted the House debates to be on the forefront of people’s minds when they went to the polls. That was doubtless the reason for the republication of the debates over the summer, and Bache’s rush to get the two volumes on sale a month before the election.

As can be expected, based on the different publication histories of the two versions, there are significant differences in the debates published in the *Annals of Congress* and the Bache version. While the publications have not been exhaustively compared, even a selection raises intriguing issues. All too often, the *Annals* paraphrase, while Bache prints what appears to be verbatim speeches. The *Annals* perhaps rely more on pro-administration sources, often the *Gazette of the United States*, and even omit portions of the anti-administration speeches.

One of the most important phases of the month-long debate was right before the vote. Congressman Gabriel Christie, a Republican from Maryland, spoke immediately before the vote was taken. The *Gazette of the United States* records Mr. Christie’s words thus:

Mr. Christie spoke also a few words in condemnation of the treaty; but considered, as he found the greater part of his constituents were desirous that the treaty should be carried into effect (though they had not attempted to influence his vote) he should sacrifice his own opinion to theirs, by voting for the resolution to carry the treaty into effect.¹⁹

The *Annals* records:

Mr. Christie said, the first time he read the Treaty he believed it to be a bad bargain; he continued to think so, though he did not think it pregnant with all the evils which had been ascribed to it. He thought all that had been urged about war, and a dissolution of Government, if the Treaty was not carried into effect, something like the tale of “Rawhead and Bloodybones,” to frighten children. But, though he thought the Treaty a bad one, his constituents were desirous it should be carried into effect, and he found himself bound to lay aside his own opinion, and act according to their will. He should therefore vote for carrying it into effect.²⁰ (See figure 1.)

The sense is quite different in Bache's version. Almost three times as long as the *Annals* text, it is in the first person, and directly contradicts parts of the *Annals* text:

Sir, from the first time that I gave the British treaty an attentive perusal, I considered it as a hard bargain; when reading the different publications thereon, and paying attention to the debates of this House, I am confirmed in my former opinion, and I now must say, that I consider it as the worst of all hard bargains. I am not one of those, Sir, who believe that all the horrid consequences, that have been depicted by many gentlemen on this floor, will flow from a rejection of this treaty, and I consider all those war arguments that have been made use of as nothing more than the old story of raw head and bloody bones, much fitter to be used by an old woman to a cross child, than to convince any of the enlightened members of this

House of the propriety of this measure.

But, Sir, although I consider the treaty in this point of view, I have reason to believe, that a large majority of my constituents wish it carried into effect, bad as it is, and as my political creed is, and always shall be, to obey the voice of my constituents, I have no objection to their taking the responsibility of this measure upon themselves. And although, Sir, my constituents have given me no positive instructions to vote for it, but have generously left it to myself, yet having good reason to believe that they wish the measure to be carried, I have on that account come to a determination to forego my own opinion, and take up theirs.²¹ (See figure 2.)

While Christie's vote is the same in each version, his explanation for the reasons for that vote are quite different. What is especially interesting in this context is the theory of representation Christie relies on, precisely one of the major points at issue between the two political parties. This is merely one example of a number of differences between the Bache edition and the *Annals of Congress* text. The *Annals* text appears to be an accurate paraphrase of the sense of the debate, yet the Bache edition seems to be closer to what was actually said during the debate, at least on the Democratic-Republican side. This, however, to be expected when the sources used are intensely partisan on one of the most divisive and controversial issues of the day, in the midst of a political campaign.

The subsequent history of the Bache edition is significant historiographically. Some of the 1796 Bache edition material is used in the Gales and Seaton *Annals of Congress*, but apparently only a small portion of it. The Bache volumes were republished

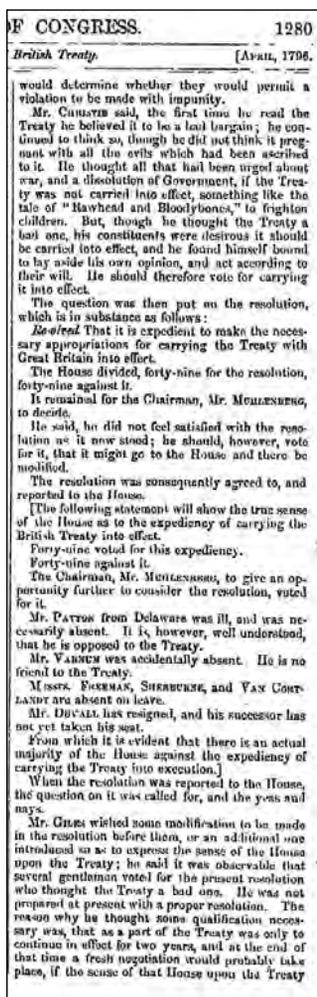


Figure 1. *Annals* version of the Christie debate.

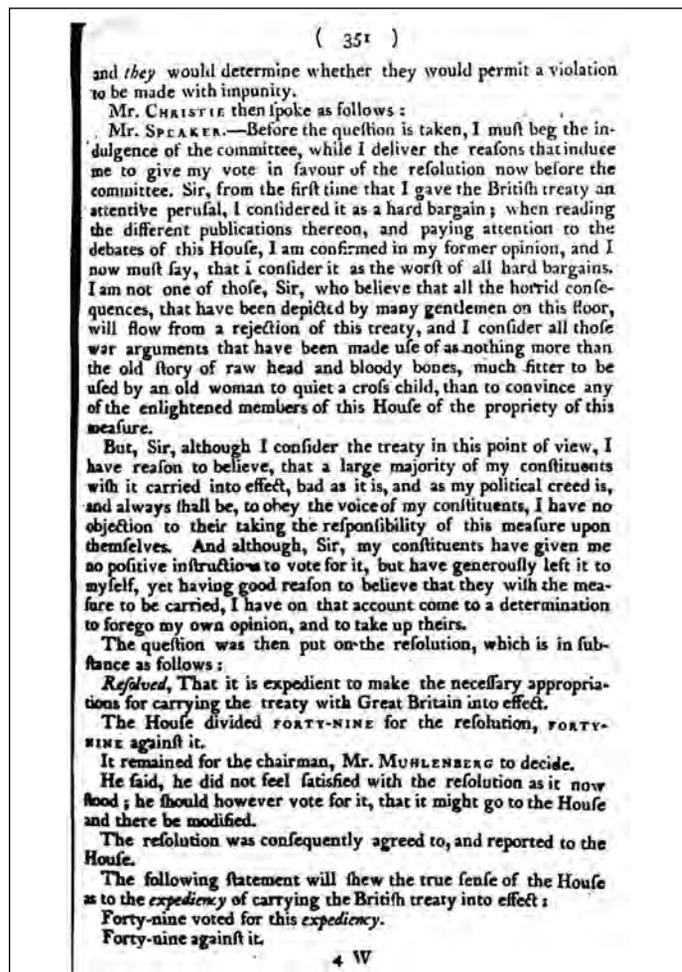


Figure 2. Bache version of the Christie debate.

in the *Evans* series of early American imprints, and then again in the Readex electronic edition of *Evans*. Other than that, however, the Bache volumes have not been reprinted. Modern scholars have generally relied on the *Annals* version, as the Bache volumes are rather inaccessible.

Conclusion

The publication history of the House of Representatives debates over the Jay Treaty is a fascinating one. The initial accounts of the speeches from dueling partisan papers help recapture some of the immediacy of the debate. Indeed, one can almost smell the printer's ink, in reading how Benjamin Franklin Bache, perhaps working late into the night, scrambled to get his subscription pamphlets out to eager readers. In one section, right after the passage of the implementing legislation, Bache editorializes in the text on what he believes to be the "true sense of the House." He lists all the members who missed the vote for some reason: one was ill, but "well understood that he is opposed to the treaty," another was "accidentally absent," but also "no friend to the treaty." "From which it is evident," Bache hopefully concludes, "that there is an actual majority of the House against the expediency of carrying the treaty into execution."²² The *Annals* reprints this portion of the Bache text, although it was careful to include it in brackets and without attribution. A partisan editor's opinion, though, is now part of the official record.

From this short examination of the debates in the House of Representatives over the Jay Treaty, it is evident that there are at least two substantial conclusions. First, the Benjamin Franklin Bache version of the treaty debates are not official House documents, nor should they be catalogued as such. As the title page suggests, Bache no doubt wanted his two volumes to be considered the "official" version (see figure 3), but Bache's partisanship, and their publication history, make it obvious that these are not neutral, dispassionate accounts like the *Congressional Record*. Second, and more importantly, the Bache version of the House debates are immensely valuable, for they provide a much closer, and probably more accurate record, at least for one party, of what actually was said on the House floor.

The comparison of this one series of debates in the House of Representatives demonstrates that there is a need for a new critical edition of congressional documents, which would include such early works *about* Congress as Bache's, for the period from the Second to the Eighteenth Congresses. It is essential that scholars and the American people realize that the staid, edited versions presented in the *Annals of Congress* do not always represent the fullness of the debates that took place

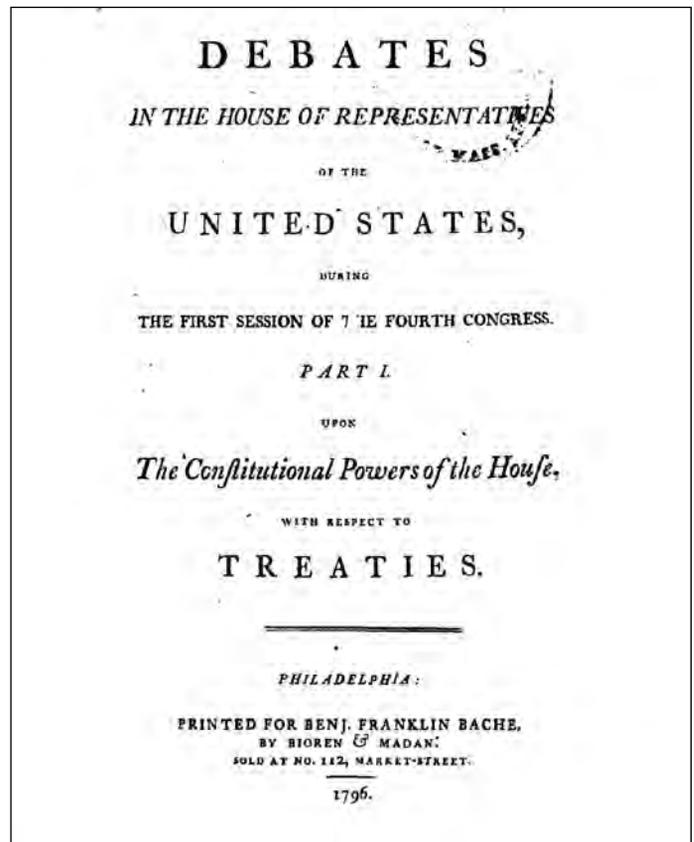


Figure 3. Bache title page.

in Congress in this early period. All these sources need to be edited and republished together, so that we may understand what truly was said in the halls of Congress. For only in that way will Alexander Hamilton's hope be fulfilled, that in the People's House, "Here sir, the people govern."

Fred W. Beuttler, Deputy Historian, Office of the Historian, U.S. House of Representatives, fred.beuttler@mail.house.gov.

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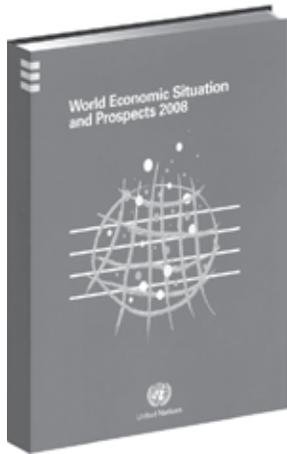
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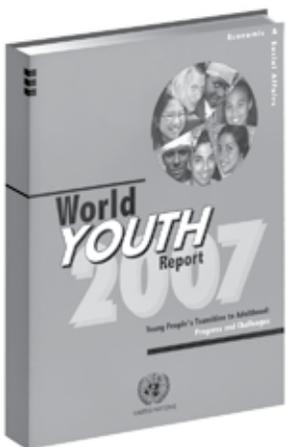
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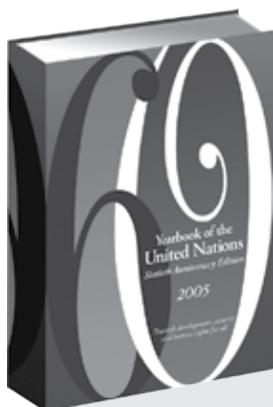
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Recovering the People's Voice

Unpublished Petitions and Their Impact on Publications, Legislation, and History

Jessie Kratz

The history of America's legislative branch of government, beginning with the First Congress in 1789 and continuing to the present, is documented in the records of the U.S. House of Representatives and the U.S. Senate. These materials consist primarily of official papers such as original bills and resolutions, committee reports, petitions and memorials, messages from the executive, presidential nomination messages, bill files, and hearings. Today these documents remain the legal property of the House and Senate but are preserved and made publicly available by the Center for Legislative Archives, part of the National Archives in Washington, D.C.

Not everyone is able to visit National Archives' facilities; therefore, alternative ways to provide access to these historically important materials are always under consideration. Technological advances have heightened expectations for access and also opened up new opportunities for providing it. Accordingly, National Archives is participating in a variety of partnerships and cooperative agreements to make holdings more widely available through web-based databases and services such as Ancestry.com, Footnote.com, LexisNexis, and Google. These partners scan previously unpublished records and make them available online, sometimes for free and sometimes on a subscription basis. These phenomenal resources can be used by researchers and the public at numerous libraries and universities around the world.

Although these innovations increase access to many of its holdings, it is unlikely that National Archives will ever have all of its materials—numbering approximately ten billion pages—scanned and available online. One potential drawback of these changing expectations is that web-focused researchers may increasingly overlook records not available electronically. It will therefore become ever more necessary for archivists and educators to emphasize that these less accessible, unpublished records are valuable—in some cases indispensable—sources for anyone

researching the history of the federal government. Unpublished petitions to Congress are a case in point. These petitions often provide essential background information about historical events, place published sources into a richer context, and provide lively anecdotal evidence. Perhaps most importantly, these petitions illuminate the complex connections between private lives and public policy.

Unpublished Petitions to Congress

The right to petition the government for redress of grievances is among the fundamental individual rights guaranteed by the First Amendment to the U.S. Constitution. The holdings of the Center for Legislative Archives demonstrate Americans' enthusiastic embrace of this right: petitions, memorials, and private claim files account for over half the total volume of the unpublished records of Congress before 1900.

Historically, Americans have used petitions to express to Congress their views on any issue, whether of public or private concern. Many petitions and memorials to Congress relate to public policy: slavery, tariffs, taxes, immigration, veterans' benefits, woman suffrage, and the treatment of American Indians have all generated massive petition drives. Other petitions concern private claims. These claimants felt wronged in some way and sought relief from Congress. Private claims generally contain more information than public policy petitions and may include statements, affidavits, and other supporting documentation containing vast personal information about the individual claimants. These files can provide a host of genealogical information and often include details not found anywhere else.

While petitions for private claims are valuable sources for family and local history, they can also provide insight into American history on the national level. On many occasions private claims petitions influenced federal legislation. This was especially true during the early Congresses when petitions routinely

provided the impetus for new legislation. Researchers can often trace a piece of legislation back to the petitions that inspired it—revealing the personal stories behind federal policies. The petitions behind the creation of the U.S. Navy in 1794 provide a vivid example of how petition files can reveal the connections between the stories of individual lives and our nation's history.

The Early Navy and the Barbary Pirates

Early in the American Revolution, the Continental Congress debated the establishment of an official navy. While a navy would protect shipping and defend the coast, the United States could not possibly challenge the British Royal Navy, the world's most powerful naval force at that time. Then, on October 13, 1775, George Washington, commander of the Continental Army, informed Congress that, under Continental authority to intercept British supply ships off the coast of Massachusetts, he had taken command of three armed schooners. Once vessels were sailing under Continental control, Congress adopted a resolution to add ships; consequently, October 13, 1775, would later become known as the U.S. Navy's "official birthday."¹

However, the Continental Navy was not a success—only a few of its ships eluded destruction or capture for the entirety of the war. Furthermore, the Continental Navy posed little threat to the British Royal Navy and had no significant impact on the outcome of the war. After the Revolution, Congress prioritized protecting the western border against Indian attacks and so considered the navy expendable. By the mid-1780s the United States had no standing navy. This military deficiency soon became problematic, however, when Barbary pirates started targeting American ships.

The Barbary pirates were privateers who operated out of North Africa, along the 2,600-mile southern shore of the Mediterranean Sea. This area—which included the coasts of Tripoli (Libya), Tunis (Tunisia), Algiers (Algeria), and Morocco—was then known as the "Barbary Coast." The pirates captured large numbers of sailors from Europe and sold them in slave markets in various North African locations.

As part of the British Empire, the thirteen American colonies received protection from the pirates under the terms of treaties Britain had negotiated with the Barbary states. However, once the Americans declared their independence, the colonies—now states—no longer fell under the terms of the British treaties, which left American vessels vulnerable. Moroccan pirates captured their first American ship, the *Betsey*, in October 1784. After months of negotiation, plus help from Spain, the United States reached an agreement for the release of the crew and the resumption of trade.

This particular crisis was resolved, but the United States was not immediately able to negotiate a treaty with Algiers that would prevent similar depredations. This failure of diplomacy had unfortunate consequences in the summer of 1785 when Algerian pirates captured off the coast of Portugal the *Maria* of Boston (also referred to in the records as the *Mary* or the *Nancy*) and the *Dauphine* of Philadelphia (also referred to as the *Dolphin*). The pirates confiscated the ships' cargoes and enslaved the crews. The enslaved men—twenty-one in total—underwent harsh treatment and were forced into degrading work, prompting desperate letters home and the payment of exorbitant ransoms. News of the capture reached the United States in October, and in December the Continental Congress received the first of a series of petitions from the *Dauphine's* captain, Richard O'Brien. He wrote on behalf of himself and the other captured men and outlined their sufferings (see figure 1):

We the Subjects of the United States of America
Having the Misfortune of Being Captured off the

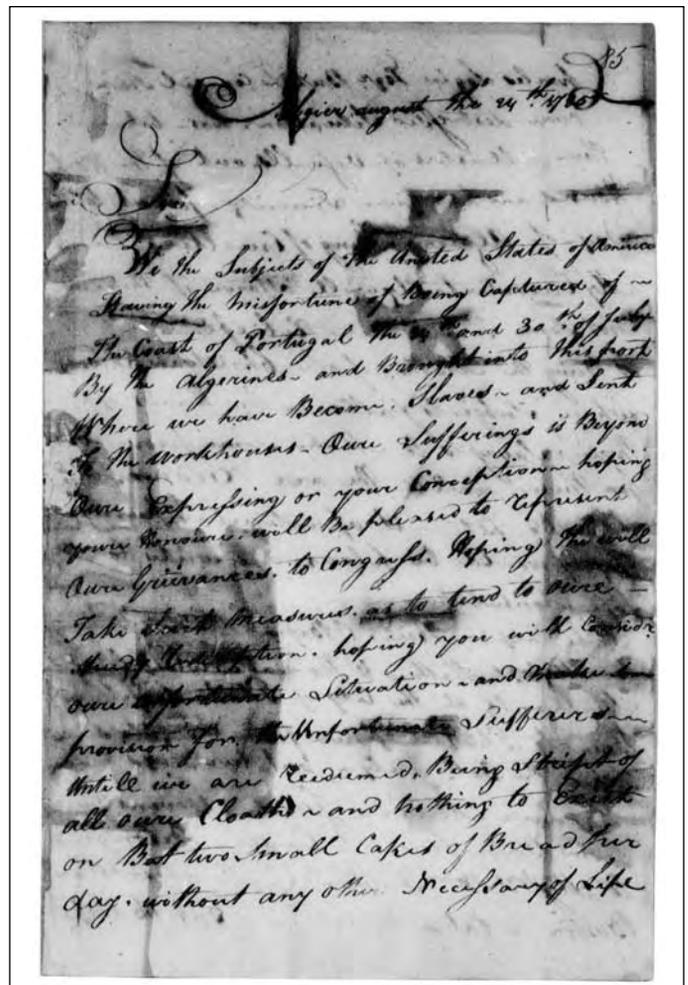


Figure 1. Petition from Richard O'Brien to Congress, August 24, 1785, page 1.

Coast of Portugal the 24th and 30th of July By
the Algerines and Brought into this fort Where we
have Become Slaves and Sent to the Workhouses.
Our Sufferings is Beyond Our Expressing or your
Conception in hoping your Honours will Be
pleased to expedite Our Grievances to Congress.²

The Continental Congress, however, had limited financial resources. Legislators authorized the payment of \$4,200 in ransom for the American prisoners, but the Algerians wanted close to \$60,000. For the remainder of the 1780s, the Americans remained in captivity as the United States persisted in its failed policy with Algiers. In the decade's final years, the dissolution of the American government under the Articles of Confederation and the creation of the new government under the U.S. Constitution diverted Congress' attention from the situation.

When the First Federal Congress convened in 1789, the prisoners still remained in captivity in Algiers. They brought their plight to Congress' attention in another petition, presented to the U.S. House of Representatives in 1790, which asked for the "interposition of Congress in their behalf" and requested that "effectual measures may be adopted for liberating them from slavery, and restoring them to their country."³

The House referred the petition to then Secretary of State Thomas Jefferson with instructions that he examine it and report his opinion to the House. On December 30, 1790, President George Washington transmitted to Congress Jefferson's report on the status of the American prisoners at Algiers. In it, Jefferson outlined the government's policy of showing little interest in the hostages' fate publicly, while at the same time conducting secret negotiations for their release. Jefferson explained that public attention would only drive up the ransom price and encourage the Algerians to seize more Americans. His conclusion made explicit the link between private and public interests: "The liberation of our citizens has an intimate connection with the liberation of our commerce in the Mediterranean, now under the consideration of Congress. The distress of both proceed from the same cause, and the measures which shall be adopted for the relief of one, may, very probably, involve the relief of another."⁴ Yet, over the course of the next year, little progress was made in securing the prisoners' freedom.

Matters of Family and State

On December 9, 1791, Hannah Stephens of Concord, Massachusetts, drafted a petition to Congress (see figure 2).⁵ Like many petitions of this period, Hannah's was an individual request rooted in personal circumstances. But her personal plea also dem-

onstrates how broad historical forces operating at the national and international levels affected the lives of individual Americans.

The petition related the plight of the Stephens family. Hannah's husband, Isaac Stephens, was the captain of the ill-fated *Maria*. On June 24, 1785, Isaac and his crew of five left Boston for Cadiz, Spain. On July 24—just a few days from Cadiz—they were taken prisoner by Algerian pirates. Without income from her husband, Hannah was unable to keep up with payments on the family's house, and she and her three children were "turned out of Doors."⁶ Hannah reported that she had been "driven to the cruel necessity of doing the lowest duties of a Servant to protect herself, and her helpless children from suffering hunger, and nakedness."⁷ She tried to convey her family's sense of desperation: "The Sufferings of your Memorialist and of her Children become insupportable when added to the Distress she feels for her husband, who is continually representing by his Letters his melancholy situation, and praying for the interposition of the United States in his behalf."⁸

Her petition reached Congress in January 1792, and was referred to the Senate Select Committee on the Case of the American Prisoners at Algiers.⁹ This committee was created in response to another petition, that of Charles Colvill of Philadelphia, which was read to the Senate on November 4, 1791 (see figure 3).¹⁰ Colvill, a carpenter on the captured ship *Dauphine*, was enslaved for more than four years before he was able to contact his brothers in Scotland. They raised the necessary ransom money and worked with British authorities to free Charles but in the process mortgaged their property and put themselves into great debt. Once free, Charles did not have the means to pay back his family. In his petition he requested

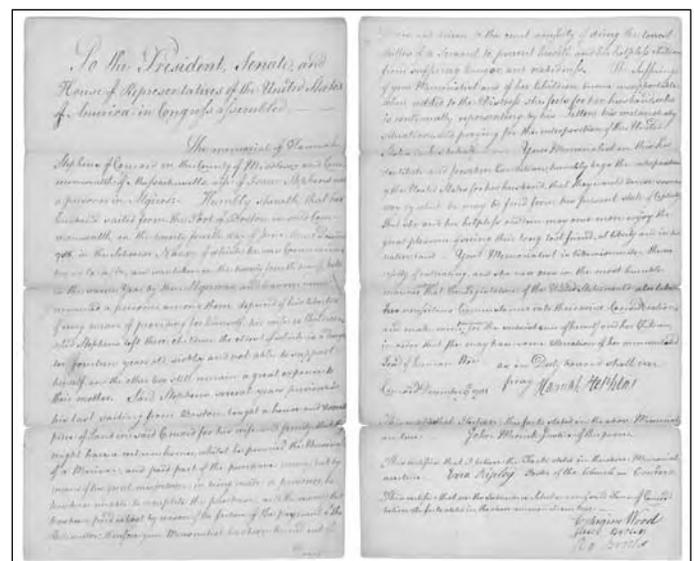


Figure 2. Petition of Hannah Stephens of Concord Massachusetts, December 9, 1791, 2 pages.

reimbursement for his brothers and an allowance for his own “expenses and sufferings.”¹¹

He ended his petition with a plea for the United States to help those still enslaved: “Your Petitioner also humbly prays you take into Consideration the unhappy situation of Captain O’Brien and his Crew, and of the Crew of the American Schooner *Maria*, whereof Isaac Stevens was Master, who now remain in a most deplorable Slavery without any prospect of relief, but in the justice and humanity of the United States, and your Petitioner as in duty bound shall ever pray.”¹²

In late February 1792, the Senate select committee responded to the issues raised in these petitions in two reports to the full Senate. The first, never published, concluded that “in order to secure a permanency of peace with Algiers, it will be necessary to have some vessels of War” with text in a different hand that added the qualifying phrase “at some future period” (see figure 4).¹³ Although the report was ultimately tabled, it shows that in 1792 some members of the Senate had already concluded that the United States needed a navy—two full years before Congress actually created one.

The second report has been published in the *American State Papers*. This report included resolutions proposing appropriations to ransom hostages and support treaty negotiations with Algiers, Tunis, and Tripoli.¹⁴ In May, Congress passed a bill authorizing the appropriation of \$50,000 for an envoy to Algiers.¹⁵

While the United States was pursuing this slow diplomacy, the Algerians captured an additional eleven American ships. By this time, the original group of men had been held captive for seven years. In response to these events, President Washington sent Congress a confidential communication in December 1793, outlining the situation and encouraging congressional action.¹⁶

After receiving Washington’s communication, Congress finally concluded that diplomatic means had failed and that use of force was necessary. Following months of debate, Congress authorized appropriations to build the first three ships of the United States Navy. The law, in fact, states: “Whereas the depredations committed by the Algerine corsairs on the commerce of the United States, render it necessary that a naval force should be provided for its protection” (figure 5).¹⁷ In this instance, private claims petitions likely contributed to the passage of a monumental piece of legislation—the creation of the U.S. Navy.

However, the naval ships authorized in 1794 would not be completed for several years, so negotiations with Algiers continued. Congress authorized up to \$800,000 for ransoming the prisoners and securing a peace treaty.¹⁸ In the meantime, the situation had grown worse—in the first half of 1794, nearly a dozen captives died. But by late 1795, negotiations with Algiers had started to improve. The Senate consented

to a treaty in early 1796, and the Algerians at last agreed to release the remaining prisoners. Due to a number of delays, the majority of the former prisoners did not actually arrive back in the United States until February 9, 1797.¹⁹ Isaac Stephens was finally home, eleven years after his capture.

In December of that year, Isaac Stephens petitioned Congress seeking monetary relief for “the losses and injuries which he has sustained in his person and property” during eleven years of captivity.²⁰ The House Committee on Commerce and Manufactures reported on January 2, 1798, “That the petitioner states in a very interesting and pathetic manner, the miseries and hardships he underwent during a long captivity in Algiers, which has been followed by disease and poverty at his return.” The committee decided against

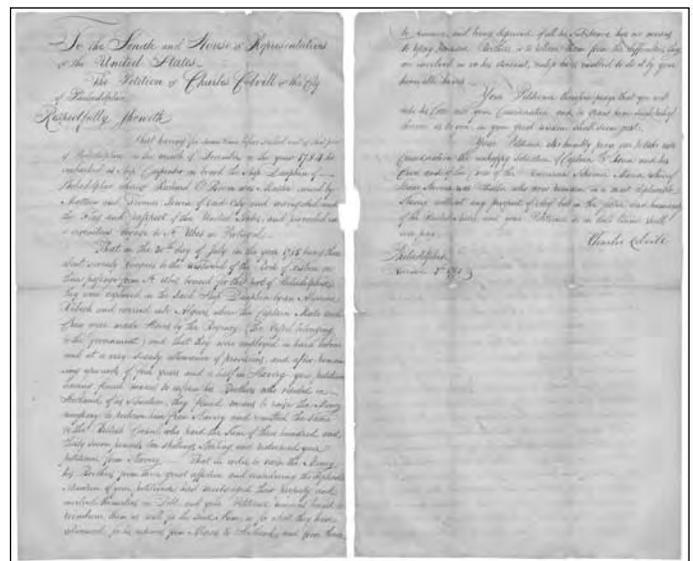


Figure 3. Petition of Charles Colvill, November 4, 1791, 2 pages.

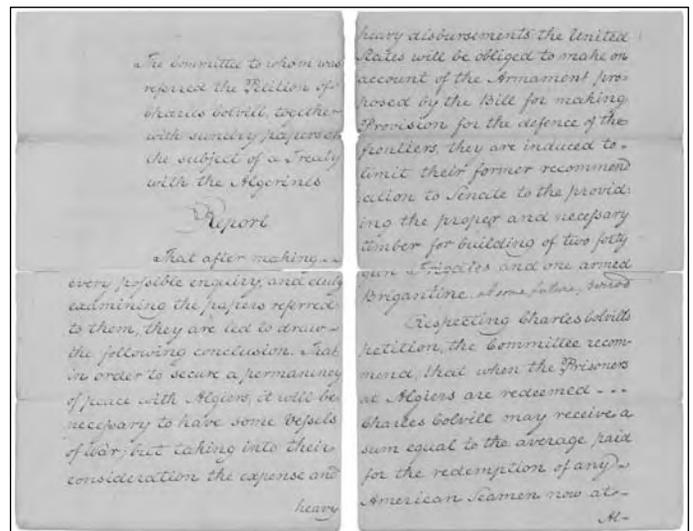


Figure 4. Report of the select committee on the petition of Charles Colvill, of Philadelphia, February 22, 1792, 2 pages.

extending him aid, though it noted that the new federal system of marine hospitals might provide "comfortable asylum." The committee members added that they "wished" that they could have found "a principle that would have justified them in making a favorable report on" Isaac's request (see figure 6).²¹

Charles Colvill had greater success. In April 1796, he forwarded to Congress another petition. It was referred to the secretary of state, who made a favorable report: because money had been appropriated for the ransom of prisoners still in Algiers, the secretary concluded that Congress should reimburse Charles a sum that "will not exceed the average cost of the redemption of each of the captives" (see figure 7).²² In May, Congress passed a bill authorizing the appropriation of \$2269.53 to reimburse Charles for his ransom.²³

At this point, Hannah, Isaac, and Charles's story with Congress ends, and their fates are unknown. Clues to what

happened to them may lie in local or state records, or possibly in the sources made publicly available through such research tools as Ancestry, Readex, LexisNexis, and Footnote. Nevertheless, the petitions to Congress from the Stephens family and from Charles Colvill vividly illustrate the effects of

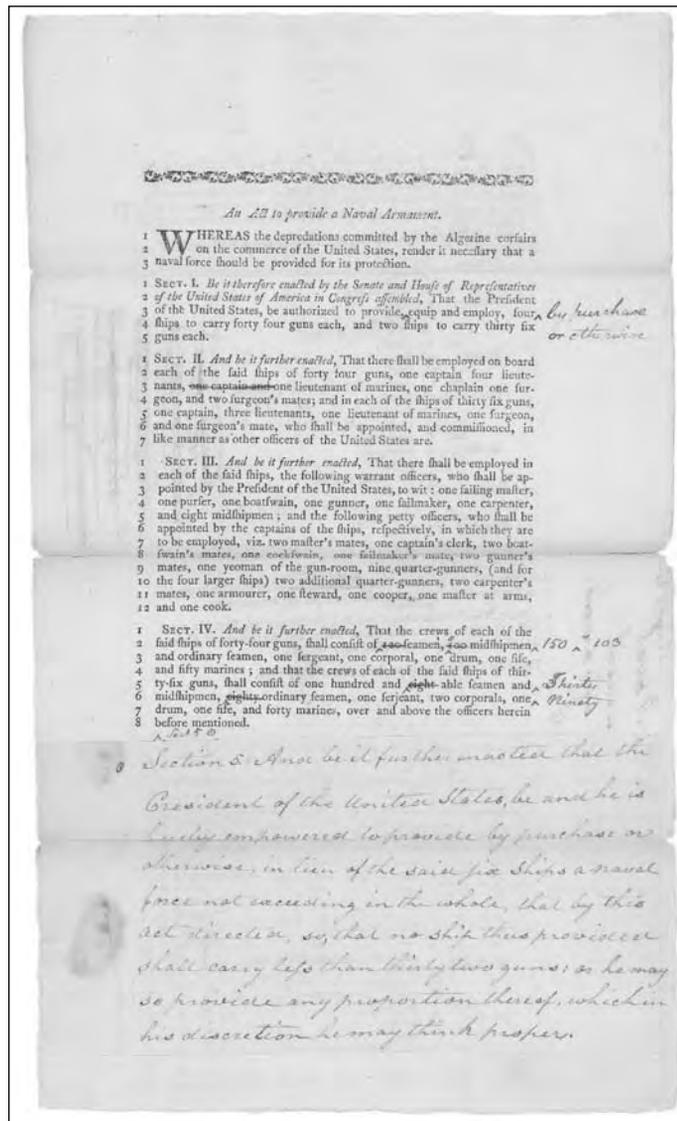


Figure 5. An Act to Provide for a Naval Armament, 1794, page 1.

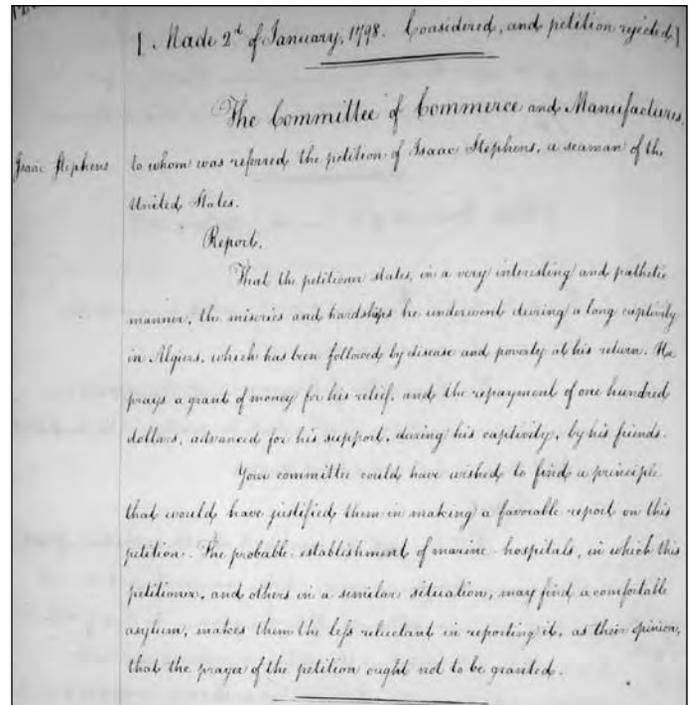


Figure 6. Report from the House Committee of Commerce and Manufactures on the Petition of Isaac Stephens, January 2, 1798.

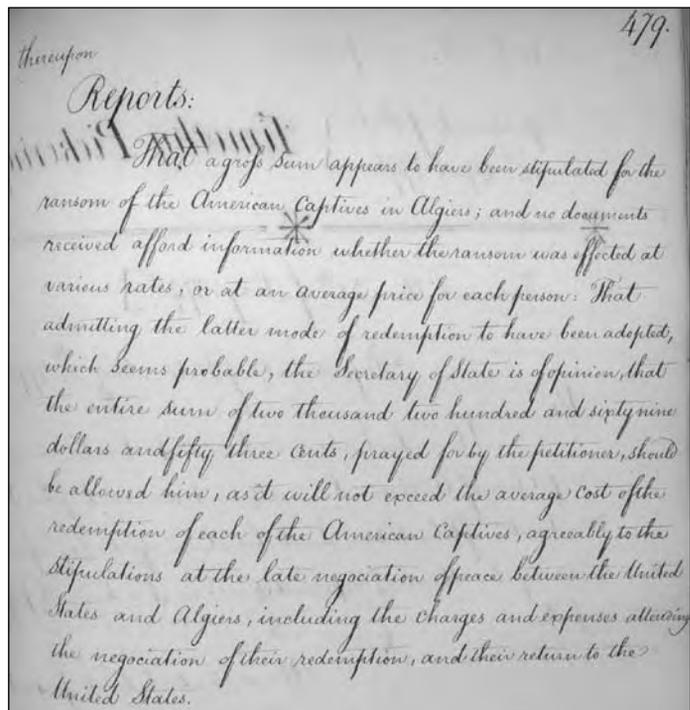


Figure 7. Report from the Secretary of State on the Petition of Charles Colvill, April 26, 1796.

government policy on individuals and demonstrate how particular life stories can influence both national and international policy. These petitions—and the way these individual lives intersected with the larger narrative of the nation’s naval past—underscore the continuing historical value of records that are neither printed nor available online. There is still a lot worth looking for in unpublished records. Despite all the information only a mouse-click away, future researchers need to continue exploring these unpublished materials in order to paint a full and accurate picture of our federal and national history.

Jessie Kratz, Archives Specialist, Center for Legislative Archives, National Archives, jessie.kratz@nara.gov.

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Documents Printed for the First Federal Congress and Their Importance to Historical Research

Charlene Bangs Bickford

As editors of the *Documentary History of the First Federal Congress, 1789–1791 (DHFFC)*, my colleagues and I have had the opportunity to explore the documentary record created by and related to this most important and productive Congress in U.S. history both widely and deeply. This edition, seventeen volumes of which have been published to date, will eventually be completed in twenty-two volumes, and conversion of the published volumes to an electronic edition is now underway at the Johns Hopkins University Press. The work of the First Federal Congress Project is currently supported by grants from the National Historical Publications and Records Commission (NHPRC), the National Endowment for the Humanities, the William Nelson Cromwell Foundation, and the MARPAT Foundation. The project is a research center within the History Department at the George Washington University, which is also a major financial supporter.

The project's end goal is a comprehensive edition, and thus our search for every single document relating to the work and politics of this seminal Congress has been exhaustive. Our all-encompassing, decades-long, and still-ongoing hunt for First Federal Congress (FFC) documents has been accomplished in cooperation with the staff of the *Documentary History of the Ratification of the U.S. Constitution*. Vast numbers of manuscript collections known to contain documents dated between 1787 and 1791 in hundreds of repositories have been searched. In the early years the searchers also looked for documents for the *Documentary History of the First Federal Elections* and the additional volume for the revised edition of the *Records of the Federal Convention*. Those two, much shorter editions were completed decades ago, but the First Federal Congress Project and the Ratification Project continue their long-term partnership that has amassed a large and revealing documentary record.

Thanks to this cooperation and the steady support of project funders, numerous printed documents that were previously either unknown to or unlocated by bibliographers of congressional printed documents have been discovered. These printed documents, frequently the only extant version of a bill at an early stage, resolution, committee report, or other official document, make up a vitally important and revealing part of the historical record.

First, some background on printing and printers for the FFC. The two houses of this Congress began to print documents for the use of their members almost immediately after finally obtaining a quorum and beginning to transact business in New York City during the first week of April 1789. In fact, the House of Representatives, which achieved a quorum on April 1, could have ordered a first printing of its rules as early as April 7. All evidence points to Francis Childs, publisher of the *New York Daily Advertiser*, as the earliest printer of documents of the federal Congress.

By June 3, Congress had formalized the printing process by passing a joint resolution authorizing House Clerk John Beckley and Senate Secretary Samuel A. Otis to contract with New York City printers to provide printings of bills, resolutions, committee reports, and other miscellaneous documents for Congress. The printer chosen by Beckley and Otis was not Childs, but Thomas Greenleaf, the publisher of the *New York Journal*. Perhaps because Greenleaf was an early opponent of Federalist policies, this arrangement did not survive long. Beckley had switched to Childs and his new partner, John Swaine, by February 17, 1790, and Otis contracted with John Fenno, publisher of the *Gazette of the United States*, a month later. Both of these firms followed Congress when it moved to Philadelphia after the passage of the *Residence Act* in the second session, and these printing arrangements continued during the third session.

By a joint resolution of June 5 and the Records Act signed into law on September 15, 1789, Congress arranged for publication of its acts and resolves and the transmission of two duly authenticated copies to each state. Beckley and Otis authenticated all printings of first session acts and continued to perform this function in the second session until Thomas Jefferson assumed his duties as secretary of state in March 1790. Childs and Swaine printed these acts, as well as six hundred sets of copies of the acts of each session, at congressional expense. The printed versions of the constitutionally-required journals, containing the bare-bones minutes of the actions of each house, became the official record used by future Congresses and the public to trace these actions. They provide the framework of legislative history.

This discussion will focus upon the first category—bills, resolutions, and other documents printed for the use of the Congress and its members. This is the category of printed documents that provided us with a mother lode of new, previously unused, documentary evidence.

While the nationwide search—focused primarily upon unofficial documents such as letters and diaries—continued, work began on the early volumes of the editions that would contain the journals and official records of Congress. As a National Archives/NHPRC-sponsored project, we were privileged in a way that previous researchers and bibliographers had not been. In the mid-1960s a joint resolution of Congress granted the FFCP access to and the right to publish the official records of the first Congress—closed records that had been used almost exclusively by Congress since being transferred to the National Archives. Microfilm of the complete FFC records and copies from that microfilm provided by the National Archives for the FFCP increased our advantage.

Work on provenance notes, which provide information about the location of documents mentioned in the journal texts, for our publication of the Senate and House Journals was an eye opener. Though roughly 80 percent of the legislation introduced in the FFC originated in the House, the House records contain very little of the expected documentary evidence. Our study of the House records, together with letters written by clerks who worked for John Beckley, revealed appalling records management policies that deprived future historians of whole categories of documents, such as the manuscripts or printings of bills as introduced in the House. Beckley's policy included destruction of documents that had passed on to a later stage. For example, the only documents that remain in the collection of House-engrossed bills are bills that the House and Senate could not agree upon. House-engrossed bills that became law were not saved.

This left us almost totally dependent upon documents printed for the House and preserved elsewhere for reconstruction of the House records. On the other hand, the Senate records are amazingly complete thanks to the painstaking efforts of archivist Samuel Otis. They contain not just Senate records, but also documents sent to the Senate by the House, including around a dozen previously either unknown or unlocated printings of House bills that can be categorized as House documents.

The dearth of House records made our drive to ensure that every collection of printed materials around the nation was thoroughly searched for documents printed for Congress even more important. We, of course, relied upon the work of bibliographers Charles Evans, Roger Bristol, Clifford Shipton and James Mooney to provide us with the best available information about the location of these congressional imprints. But we knew through our discoveries of both previously unknown House or Senate orders to print and previously unlocated printed documents, that the publications of these men, though incredibly detailed and broad in scope, were still incomplete.

We first tackled the printed documents in the Senate records at the National Archives and the large number of bills and documents printed for the FFC in the Broadside Collection of the Library of Congress Rare Book Room, working to match up Evans numbers, print orders, and printings. We refer to the numbers given to the printings by Charles Evans, a system continued by Roger Bristol, as "Evans" numbers. Then we worked through the printings found at other repositories, in particular the more than three dozen printings of FFC bills and reports saved by New Hampshire Senator Paine Wingate and now at Dartmouth College Library. In the process we discovered some very interesting things. Every bill, report, or resolution printed for the FFC, even documents printed for the House, for which we can trace "ownership" is in fact a Senate record in terms of provenance. That is, all were either discovered in Senate records, annotated by Otis, or determined to belong to a senator. Most also have annotations by their owners and sometimes other senators or Otis. The biggest collector was the man we have fondly nicknamed "The Squirrel," Connecticut Senator William Samuel Johnson, who was also the president of Columbia College in New York City at the time. The bulk of the Rare Book Room's collection comes from The Squirrel, and the printings are annotated in his almost indecipherable handwriting. We know that Johnson even obtained copies from other senators, apparently in an effort to complete his collection. Several of the printings in Wingate's papers are the only known copies; one previously unknown House printing turned up at the Connecticut

Historical Society and another in the Rhode Island Archives. When these discoveries were added to the list of printed documents located only in the Senate records, we could see that the additional bibliographical information that we were gathering was beginning to reach critical mass.

Thus, we added the goal of building upon the work of others and creating a new bibliography of documents printed for the FFC. This twenty-eight page bibliography, which was published in volume four of the *DHFFC*, the first volume of the three-volume set of legislative histories, includes information, including whether or not the document is annotated and who it belonged to, about every copy of a document printed for Congress that we located. We created this new resource with a great sense of satisfaction and requested that our press print extra copies of it for distribution to all the libraries and archives that had assisted us in our search for documents printed for the FFC.

Thomas Jefferson's declaration that the only way to preserve the public record is through the printing of "a multiplication of copies" certainly rings true in this case. Evidence shows that the House and Senate usually ordered fifty or one hundred copies of bills, resolutions, and reports printed, yet we found only a handful of these documents of which there are as many as three copies extant; in most cases there are only one or two copies. Seventeen bills that we know were ordered printed—most of them by the House of Representatives—have not surfaced in the public domain. We know that the bills and other documents printed for the early Congresses are prized by private collectors. It seems very likely that copies of FFC printings are out there in private hands.

As those who work with government documents know, creating an accurate and complete legislative history demands that a complete documentary record be available and accessible. Without the printed documents we would have been at a loss as to how to completely document the process. Printed bills, resolutions, and reports that were printed for the first House of Representatives and are extant today are almost always the only copy of that particular record that exists. Only one manuscript House bill as introduced is known to have survived, and it is in the Senate records. Since the vast majority of first Congress legislation originated in the House, this absence of a manuscript record forced a total reliance upon the printings ordered by the House and Senate printings of House bills to create legislative histories. In cases where the documentation existed, we found ourselves reconstructing bills as introduced in the House by extracting the known House amendments from a Senate printing of the bill as it passed the House. Even in the case of the Senate records, which are rich in manuscript

documents, the printed bills and other documents remain vitally important to the process of putting the complex puzzles together.

The story of reconstructing the legislative history of the Lighthouses Act passed by the FFC as part of the total package of the 1789 federal revenue system presents an interesting case study demonstrating the importance of these printings. That revenue system eventually included five separate acts that: (1) established federal duties on imports, (2) levied taxes on the tonnage of ships entering U.S. ports, (3) created a system for collecting this revenue, (4) regulated the coasting trade, and (5) provided for the takeover of the coastal lighthouses by the federal government.

In the early 1980s, when we approached the job of creating a legislative history of the Lighthouses Act, we found no documentary records in the official records of either house. Yet we accomplished a complete reconstruction of the different stages of this act as it progressed through the process using three printings located elsewhere: (1) the bill as introduced in the House on July 1, 1789, found in the Fisher Family Papers at the Pennsylvania Historical Society; (2) a Senate printing of the bill passed by the House on July 20 from the Broadside Collection in the Rare Book Room of the Library of Congress; and (3) an interim stage printing by the Senate that included some of the Senate's amendments and is also in the Broadside Collection. The last two documents cited had not been cataloged and numbered by Evans, Bristol, or Shipton and Mooney, though they were on the Library of Congress list of congressional documents. And, fortunately Senate amendments were printed in the *Senate Journal*. Five years after the legislative histories volumes of the *DHFFC* were published, the Senate's working copy of the printing of the House-passed bill, annotated and with the handwritten Senate committee report attached, was advertised for sale. On the advice of the Senate historian, the secretary of Senate wisely chose to purchase this alienated document and return it to its rightful place in the Senate records.

In addition to their importance to historians trying to reconstruct and use the documentary record, these printings served as useful tools for the members of the FFC. Their letters indicate that representatives and senators sent printed copies of bills that were under consideration to individuals in their districts to seek constituent input, often asking that the copy be circulated. We know that in the case of at least two printed FFC bills, the Judiciary Act of 1789 as originally introduced in the Senate and the Militia Bill proposed in the House during the second session in 1790, some members made a concerted effort to distribute the printings to the opinion leaders

and experts, such as attorneys and jurists. When action on the Militia Bill was postponed to the third session, the stated purpose was to allow public consideration. There is also ample evidence for the fact that senators, at least, documented the amendment process on their copies and that the printed documents were integral to Samuel Otis's meticulous record keeping process. In other words, they were working copies that often were annotated with changes made to the original.

Perhaps some day a collection of printed FFC bills maintained, and even annotated, by a member of the first House of Representatives, will be discovered. It seems impossible that not one of the representatives from New England, a region that is famous for preserving its historical records, saved his pile of printed bills. But until such a collection comes to light, I'll close with an eighteenth-century "HUZZAH!!" for Senate Secretary Samuel Otis and Senators Johnson and Otis for their presentation of enormously important records.

Charlene Bangs Bickford, Coeditor and Director, First Federal Congress Project, The George Washington University, bickford@gwu.edu.

Resources

Journal of the House of Representatives, volume 3 of the *Documentary History of the First Federal Congress, 1789–1791*, Linda Grant DePauw, Charlene Bangs Bickford, and LaVonne Siegel Hauptman, eds., (Baltimore: Johns Hopkins Univ. Pr., 1977), vii–xvii. This volume's introduction discusses John Beckley's record keeping practices and how the First Federal Congress Project staff determined that missing records of the First House of Representatives were almost certainly not lost when Washington was burned during the War of 1812, but were deliberately destroyed by Beckley.

Legislative Histories: Amendments to the Constitution through Foreign Officers Bill, volume 4 of the *Documentary History of the First Federal Congress, 1789–1791*, Charlene Bangs Bickford and Helen E. Veit, eds. (Baltimore: Johns Hopkins Univ. Pr., 1986), xxvii–lv. A list of all the documents that were printed for the FFC located or identified by the First Federal Congress Project and previous bibliographers.

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Tips from Tim

Symbols

Tim Byrne

Many of my *DttP* columns have been inspired by reading messages on Govdoc-l or the GODORT electronic discussion list. Such is the case with this column. I just read a message from GODORT Chair Bill Sleeman. I guess you would have to call it an inspiring message since it inspired this column. Bill's message was saying that he had an umbrella that had been left at the GODORT Membership Meeting during ALA Midwinter and he would mail it to anyone who could describe it to him. Upon reading Bill's message, I was tempted to write up a description of an umbrella and see if it might match the one Bill had. Instead, I wrote this column.

Many, many years ago, I served as president of the Virginia Library Association (VLA). It isn't my intention, however, to write about my term as one of the youngest VLA presidents, or my success and failures as president, or how much fun I had dealing with the Virginia General Assembly. Instead, I want to tell you about an umbrella. On my last day as president, just prior to the annual VLA Membership Meeting, I was handed an umbrella. It had been left in an earlier meeting and I was asked to see if anyone would claim it. So I started the meeting off by asking if anyone had been separated from their umbrella. There were no takers and I set aside the umbrella and continued the meeting.

This being the last meeting in my term as president, there was one major concern hovering over me throughout the meeting. Very early that morning, I had awakened and realized that I had left the presidential gavel sitting on my desk back in my office. It was, of course, traditional for the outgoing president to pass the gavel as a symbol of the passing of the office to the incoming president. I was much distressed that I would not be able to complete the full traditional ceremony. When the point in the meeting came for the new president to assume the office, I rose and confessed to the assemblage that I had, in fact, forgotten to bring the gavel that I was now supposed to pass on to my successor. But then I pointed out that the passing of the gavel was just a symbol for the passing of the duties

and responsibilities of the president and that when one symbol wasn't available, another could almost do as well. At this point I picked up the unclaimed umbrella and, after holding it high for everyone to see, passed it to the incoming president. I bade her to take the umbrella and use it to protect the association from the inclement weather sure to come in the next year. I briefly continued in this vein with several very clever allusions. The new president took the umbrella and tried her best to incorporate references to it into the remarks she had previously prepared. I must say that I think the membership was much more entertained by the passing of the umbrella than they would have been by passing a gavel. A picture documenting this event was published in the *Virginia Librarian* in early 1985, for those of you who think I make this stuff up. At the end of the Membership Meeting, the new president handed me back the umbrella and I carried it with me, hoping that someone would claim it. When no one did, I took it home with me, just in case the owner turned up after the conference.

That umbrella has hung from a coat rack in my office for the last twenty-three years. It has now moved cross-country twice. I use it every once in a while when it rains while I am at work. However, every time I do use it, I can't help remembering that it isn't just an umbrella, it's a symbol.

By now some of you are probably wondering what this symbolic umbrella has to do with government information. I must confess that I too am beginning to wonder the same thing. This has started me thinking about the symbols that we've had in the world of government documents. Both GPO and GODORT have used symbols to good effect.

GODORT used to have buttons that said "documents to the people." I wore one for years and you would be surprised how many comments I received. Most were along the lines of "Right on, brother," accompanied by a raised fist. On occasion, I was approached by young idealistic college students wanting to know what radical group I was part of. I was never sure whether to be amused or disappointed by their reaction

to hearing that “documents to the people” was the slogan of the group of radical librarians. Over the years, I’ve had a lot of GODORT ribbons that attached to my name tag at ALA conferences. I am not sure what happened to all those ribbons, but I still have my “documents to the people” button.

GODORT used to use stationery that had a red border around the edges of the paper. I remember being told that this was so that any congressman or high ranking government official receiving a letter from GODORT would know immediately that the letter was from GODORT. I don’t believe that I ever heard any testimony that this was actually the case. I have always assumed that congressmen and high ranking government officials didn’t open their own mail. I do recall that this stationery did make it difficult to copy GODORT correspondence. Most of us didn’t have access to a color copier and when the red border came out black, it lost a lot of its impact. Trying to color it by hand still didn’t have quite the same effect.

I have always liked the FDLP eagle logo. I prefer the large wooden ones that you can mount on a wall more than the smaller decals that are supposed to be on the door to every depository. You can see them much better from a distance. They also come in handy when it rains and you don’t have an

umbrella. Of course, I always have an umbrella in my office. This logo is also used on a lot of library web pages and actually makes it easy to spot the U.S. government information. There are a lot of library web pages where it is kind of hard to find the government information.

GPO gives out little lapel pins with the FDLP logo. I must have twelve or fifteen of them. When someone from GPO hands me one of these pins, especially if it comes from the Superintendent of Documents, I am always polite and immediately place the pin on the lapel of my jacket. Well, that is, if I am wearing a jacket with lapels, I put on the pin. However, on those rare occasions when I am wearing a jacket with a GPO lapel pin, no one has ever approached me about being associated with a radical government agency. I attribute that to the fact that GPO is part of the legislative branch. If GPO were part of the executive branch, it would have gone underground years ago.

Tim Byrne, Information International Associates, Inc.,
DOE/Office of Scientific and Technical Information,
byrnet@osti.gov.

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Smokey Bear: American Icon

Mark C. Scott

“Remember, only you can prevent forest fires!”—*Smokey Bear*

Over the course of its history, the United States has suffered through countless forest fires that have destroyed millions of acres of land. Every summer it seems there is a national news story about a major forest fire. Some of these fires are caused by lightning strikes or controlled burns begun by forestry officials. Other forest fires are started by careless individuals who improperly dispose of cigarettes and matches or fail to extinguish campfires. The U.S. Forest Service in conjunction with the Advertising Council has played a major role in educating the public about forest fire prevention. Within the FDLP, there are numerous documents that examine and discuss fire management issues including the debate regarding the ecological need for controlled burns. Though created by a commercial advertising firm in conjunction with the private nonprofit Advertising Council, Smokey Bear’s relationship to the FDLP is often overlooked. Smokey, one of the most successful advertising campaigns in the history of the United States, has represented the Forest Service for more than sixty years and federal laws were created to protect his image. Although Smokey’s message is not without controversy, this well-known bear has been educating generations of Americans about preventing forest fires.

The Early Days

During World War II, the Bankline Oil Refinery off the coast of Santa Barbara, California was shelled by a two-man Japanese submarine.¹ These bombs were intended to destroy the forests along the West Coast. The forests along the West Coast from California to Washington were important since lumber was intended for such things as ships and rifle stocks. Many Americans did not know that a “battleship required 300,000 board feet of flooring for each deck” or that one tree could provide 7,500 rifle cartridges.² This thwarted attack eventually led to the creation of Smokey Bear.³

With the threat that other attacks might occur on the West Coast, William V. Mendenhall, forest service supervisor

for the Angeles National Forest, began educating the public about forest fire prevention. Mendenhall contacted the Wartime Advertising Council for assistance. During the early 1940s, with help from the Council and assistance from the Los Angeles advertising firm Foote, Cone and Belding (FCB), a campaign was created. The first fire prevention posters (prior to Smokey Bear) of the early 1940s featured sayings such as “Careless Matches Aid the Axis” and “Our Carelessness, Their Secret Weapon.”⁴ These posters featured Nazis and Japanese soldiers and were not as successful as originally hoped due to their negative intimidating nature and anti-Axis propaganda.⁵

In 1944, Walt Disney’s cartoon white-tailed deer, Bambi, was popular with the American public. Disney approved the use of Bambi in posters to teach the public about forest fire prevention, with the message “Please Mister, Don’t Be Careless.”⁶ The Disney character was a huge success but unfortunately, Bambi was only on loan for the year. Since the war-slogan prevention posters were not as successful, and the American public, especially children, reacted well to an animal delivering a message, the Forest Service’s Cooperative Forest Fire Prevention (CFFP) program and the Wartime Advertising Council chose a bear as the character to represent the forest fire prevention campaign.⁷

Ad Council

The Ad Council, a privately funded nonprofit organization, assists advertising companies as well as the federal government in delivering public service announcements to the American people. According to the Ad Council’s web site (www.adcouncil.org), the War Advertising Council (as it was originally known), was created to assist in the war effort by selling war bonds. The Council was able to encourage “advertisers and the media to contribute more than \$1 billion in advertising” to motivate the American public during the war.⁸ In 1945, with the war over, the name was changed to just the Advertising Council. Phrases and images from the Ad Council’s campaigns are a deep part of American culture. One of the most famous is “Keep America Beautiful” featuring Iron Eyes Cody’s tear-

ful reaction to pollution. Other Ad Council slogans such as “Friends don’t let friends drive drunk” and McGruff’s “Take a Bite Out of Crime” have also become part of the American vernacular. Although these are all very famous, it was the phrase “Remember, Only You Can Prevent Forest Fires,” created in 1947, that became the longest running and most successful advertising campaign in Ad Council history. According to a biography on Smokey Bear, Ervin Grant, an account executive with the advertising firm FCB, is credited with creating the phrase.⁹ In 2001, the Ad Council, with assistance from the Forest Service, altered the famous phrase to “Only You Can Prevent Wildfires” due to a rise in recent outbreaks as well as to keep the message current. With the talent and hard work of the Ad Council, FCB, and numerous artists, it is easy to understand why Smokey Bear and his campaign became so successful.

The Artists

Albert Staehle, a German-born freelance artist, is credited with drawing the first Smokey Bear. Staehle gained his recognition as an artist with his cover drawings for the *Saturday Evening Post*. He submitted several different drawings of various animals with a squirrel as the leading choice.¹⁰ A group working on the project eventually decided a bear was a better fit. On August 9, 1944, a letter from Richard Hammett, director of the Wartime Forest Fire Prevention Program, describes the characteristics of the desired bear as “nose short (Panda type), color black or brown; expression appealing, knowledgeable, quizzical; perhaps wearing a campaign (or Boy Scout) hat that typifies the outdoors and the woods.”¹¹ The bear Staehle drew was a “cute bear with floppy ears, big eyes, a humped neck and natural looking paws.”¹² It was the drawing of the bear that caught the attention of the committee and caused slight controversy. Forest Service personnel believed Staehle’s drawing would not appeal to the public; in addition it lacked Bambi’s star power.¹³ They also wanted the project to keep people interested. In the end it was the humanizing effect that helped Smokey evolve from a cute bear into one with national appeal.

While the discussion of what this bear would look like was taking place, the topic of what to call the bear was also discussed. Who actually came up with the name Smokey is unknown. It seems inspiration was obtained from deceased assistant New York City fire chief “Smokey Joe” Martin. Martin was a legend in the New York City Fire Department, often risking his life, extinguishing fires, and saving the lives of others.¹⁴ Staehle was asked to redraw the bear, (now named Smokey) per the changes requested. These changes can be seen in the first Smokey Bear prevention poster from 1944

featuring Smokey pouring water from a pail over a campfire with the phrase, “Smokey Says—Care *will* prevent 9 out of 10 forest fires.”¹⁵

Over the next few decades numerous artists worked on and produced drawings of Smokey, all of them contributing to what Smokey is today. The two artists who deserve most of the credit are Richard Stow, from FCB and Rudy Wendelin from the Forest Service. Stow, an art director, did not do much with the actual drawing of the bear but was influential in assisting the younger artists in the design and is seen as the person who “quietly guided the creation familiar to generations of Americans.”¹⁶ While Stow was shepherding young artists behind the scenes on Smokey’s design, Rudy Wendelin helped maintain the bear’s image and “protected its development” as the character grew in popularity.¹⁷ It is clear from the early posters of Smokey that he was more animal-like than what he is today. Wendelin was responsible for the transformation of Smokey from an animal with claws to a kind human-like character. During the course of his career, Wendelin oversaw creation of more than four thousand representations of Smokey. Wendelin’s Forest Service colleagues believed that it was Wendelin who “trained Smokey to be graceful and charming.”¹⁸

It was during this period of Smokey’s development that the Federal government began using color for its products. In William C. Lawter’s book *Smokey Bear 20252*, Wendelin related how forest fire prevention was one of the first campaigns to use color in its materials. He noted that color was not being used by any agencies other than Defense and that the GPO needed to be persuaded by FCB of the importance of using color for fire prevention materials.¹⁹ Having convinced GPO to use color with fire prevention materials, Smokey would soon persuade Congress of the importance of his image in relation to the commercialization of his prevention message.

Smokey Bear Act

Smokey Bear’s popularity grew very quickly, especially with children. Many in the marketing business were interested in capitalizing on this success and using Smokey for commercial purposes. The U.S. Department of Agriculture (USDA) decided they needed to act to protect licensing Smokey’s image and likeness through legislation. John Morgan Smith, an employee of the Forest Service, felt it was important that money generated from Smokey’s commercial ventures be used exclusively for fire prevention, and he assisted in writing the law. With help from three Democrats and three Republicans, the bill, sponsored by Senator Pat McCarran from Nevada, was placed on the calendar.²⁰ The bill passed both the House and the Senate unanimously. On May 23, 1952, President Harry Truman signed the Smokey Bear

Act into law. This act imposed a fine of not more than \$250 and/or imprisonment for the improper use of the Smokey Bear trade name and character. The act also established Smokey Bear as the official name.²¹ With the backing of the law, the CFFP created a licensing policy stipulating that Smokey products would educate the public about fire prevention, be consistent with the message and image, and generate funds to further prevent forest fires. With federal laws and general policies in place, Smokey Bear would enter a new realm of entrepreneurship as well as “public recognition.”²²

Real Life Smokey Bear

As Smokey Bear gained popularity in the late 1940s and early 1950s with his fire prevention message, a real-life bear displaced by a forest fire in New Mexico would become the living symbol of fire prevention for more than twenty-five years. In May 1950 a forest fire destroyed some 17,000 acres in Capitan, New Mexico. The Associated Press photographed a bear cub, badly burned in the fire, being treated by a doctor. In time, this photo was seen throughout the country. The burned bear was named Smokey after the mythical Forest Service bear and was soon just as famous. Once the cub's wounds healed, he traveled to Washington, D.C., and took up permanent residence at the National Zoo where he was visited by countless school children over the years and took part in numerous ceremonies. The real-life Smokey became a living reminder to people throughout the country to be careful and respect fire in forested areas. In November 1976 this living symbol of fire prevention and wild-life conservation died and the body was returned to Capitan, New Mexico, where a historical park honoring the real and fictitious Smokey Bear was completed in 1979.²³

Fire Prevention Success

With a live bear in the National Zoo and the growing sponsorship of advertisers, the Forest Service, using Smokey Bear, was able to generate substantial public buy-in and help prevent forest fires. Although influence of Smokey's message is open for debate, Forest Service statistics indicate a trend toward forest fire reduction during the time of Smokey's rise in popularity. In 1942 there were 210,000 reported forest fires while in 1958 there were less than 100,000 fires and the total acreage burned had also been reduced dramatically from 30 million acres in 1942 to 3 million in 1958.²⁴ Over the last few years the average number of wildfires per year caused by human carelessness was 62,275.²⁵ It is difficult to say if the early popularity of Smokey Bear was responsible for these changes in statistics because the focus of the program has always been on educating children about fire and forest fire prevention.



Smokey Bear poster (image used with permission).

One of the brilliant strategies developed by the CFFP was the creation of the Smokey Bear's Junior Forest Rangers in 1953. This informal organization was geared toward children who submitted a written request and received a Junior Forest ranger kit. The kit was comprised of a letter from Smokey, membership card, window certificate, stamps, and a bookmark.²⁶ By appealing to children, this program also influenced parents' thinking about preventing forest fires. In a 1954 issue of *Fire Control Notes* from the USDA, Clint Davis, director of the CFFP, quotes a father from New Jersey who said, “Since my son became a Junior Forest ranger, I can't burn leaves or trash without him pulling his authority on me.”²⁷ By the mid-1960s Smokey was receiving an exorbitant amount of mail. In an effort to offset the requests, the 20252 ZIP code was created in his honor.²⁸ It is apparent that the creation of Smokey, though geared toward children, had a profound effect in educating adults about forest fire prevention.

In a 1952 issue of *Fire Control Notes*, another story reveals the power of Smokey Bear. Two campers from San Francisco



Smokey Bear poster (image used with permission).

spent the weekend fishing on the McCloud River. Upon their return home the campers stopped at a store that had a Smokey poster with the message “You Can Stop This Shameful Waste!” After seeing this poster the two men questioned whether they had completely extinguished their camp fire. When they drove back to the site, the coals were still hot and the fire was beginning to spread. They were able to put out the fire properly before it got out of control. This event was recorded in the local newspaper, and Clint Davis noted it as the “first case history that documented Smokey Bear as actually preventing a forest fire.”²⁹ Anecdotes such as this one showed the Ad Council that Smokey Bear was doing exactly what he was supposed to, to get the public thinking about forest fire prevention.

Controversy

Although Smokey’s message has always been about preventing accidental forest fires, there has recently been backlash by some who believe Smokey’s message is out of date. Many think

Smokey misses the point about the importance of fire in the ecosystem. Fire historian Stephen Pyne from Arizona State University feels that Smokey has become a convenient symbol to those in favor of controlled and prescribed burning.³⁰ In his article entitled, “Only You Can Postpone Forest Fires,” environmentalist Ted Williams likens Smokey to Winnie-the-Pooh, a bear with a very little brain. Williams goes on to suggest that Smokey has “been extinguishing ecosystems” and that “forest fires can only be postponed never prevented.”³¹ While this controversy has been playing out for years with those in favor of controlled and prescribed burns to thin out the overgrowth in our forests, Hutch Brown in *Fire Management Notes* sums the controversy up best by pointing out that Smokey never called for fire exclusion but that his message sought to discourage carelessness with fire by visitors.³² Jimmie L. Turner, an ignition specialist for the Forest Service, believes that Smokey is *not* wrong with his message because Smokey is a valid symbol to the public, especially to children who must learn that carelessness with fire can have devastating consequences.³³ Many in the Forest Service believe the message today must focus on both Smokey Bear and his prevention policy as well as using controlled burns to further the natural balance within the ecosystem.

No one would have thought while our forests along the west coast were being threatened during World War II that one of the most successful advertising campaigns in U.S. history would result. Smokey has changed considerably from his first appearance as an awkward-looking bear to the current well-developed representative for the Forest Service and the Advertising Council. While some believe Smokey’s message is out of touch with nature, his message has remained popular in the national consciousness and been very successful for decades. The importance of Smokey’s message has always been to educate the younger generations to the dangers of fire and the destruction that can occur in wooded areas. Although Smokey is the product of the U.S. Forest Service, the advertising firm of Foote, Cone, and Belding, and the Ad Council, he is a hidden treasure within government publications.

Mark C. Scott, Acting Coordinator of Government Publications, University of Pittsburgh, mcs50@pitt.edu.

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GODORT 2008 Midwinter Meeting Highlights

Philadelphia, January 11–14, 2008

Philadelphia was the site of the 2008 Midwinter Meeting and what better place for GODORT members to come together to work on issues as well as have some fun. The Rare and Endangered Government Publications Committee arranged a wonderful tour of the Library Company, which was founded in 1731 by Benjamin Franklin as a subscription library. Then it was down to business.

- The **Awards Committee** announced the following recipients: James Bennett Childs Award—Larry Romans; LexisNexis/GODORT/ALA “Documents to the People” Award—Mary Webb Prophet; Bernadine Abbott Hoduski Founders Award—Lily Wai; NewsBank/Readex/GODORT/ALA Catharine J. Reynolds Research Grant Award—Judith Downie; and the W. David Rozkuszka Scholarship—Ray Walling.
- The **Bylaws & Organization Committee** worked on two bylaws changes. Membership approved the reduction of members in GITCO (Government Information Technology Committee) from 12 to 9. The Development Committee submitted a request to extend the term of the Development Committee Chair from one year to two years.
- The **Cataloging Committee** reported that publication of RDA (Resource Description and Access)—which will replace AACR2—is set for next year, with the initial release at IFLA in Quebec. The committee also heard a report from GPO’s Laurie Hall who reported a misperception in the community regarding the quality of the EPA Harvesting Pilot Project as “perfect” documents. Her group is spending a lot of time trying to decide if retrieved items are (1) complete documents and (2) in scope. Ms. Hall also covered other items that have been announced on various electronic discussion lists recently.
- The **Conference Committee** was hard at work planning the reception in Anaheim, which will be hosted by Chapman University.
- The **Development Committee** introduced *The Draft Guidelines for Managing Solicitations to Vendors* and a *Draft Solicitation Letter* to Steering II. Work also began on a development plan of annual solicitation letters to GODORT members and others that will list several donation choices. Initial contact asking for contributions will be in February 2008.
- The **Education Committee** held a discussion session on instructional technology and government information where participants shared what they are doing with course-management software, webcasts, tutorials, podcasts, wikis, and widgets. A subgroup of the committee will revise a survey soliciting opinions on core competencies for new government information specialists and general government information competencies for non-specialists. The committee began the transfer of the GODORT Clearinghouse & Handout Exchange to the GODORT wiki. Once complete, new content will be solicited. The committee will be constructing virtual program proposals to submit to GPO for production using GPO’s OPAL (Online Programming for All Libraries) license.
- The **Membership Committee** began a survey that will help the strategic planning process. Several focus groups will be held this next year to allow members to share their thoughts with the Ad Hoc Strategic Planning Committee.
- The **Nominating Committee** had the following slate approved by Steering: *GODORT Assistant Chair/Chair-Elect*: Amy West and Valerie Glenn; *Secretary*: Yadira Payne and Kathy Brazee; *Awards Committee*: Laura Sare, Lynda Kellam, Dan Barkley, and Sarah Maximiek; *Bylaws Committee*: Barbara Miller and Aimee Quinn; *Nominating Committee*: Mark Scott, David Griffiths, Beth Clausen, and Marilyn Von Seggern; *Publications Committee Chair/Chair-Elect*: John Stevenson; *Federal Documents Task Force Assistant Coordinator/Coordinator-Elect*: Kristen Clark; *Federal Documents Task Force Secretary*: Laura Horne; *International Documents Task Force Assistant Coordinator/Coordinator-Elect*: David Oldenkamp and Richard Guajardo; *International Documents Task Force Secretary*: Sandhya Srivastava and Susan Bennett White; *State and Local Documents Task Force*

Assistant Coordinator/Coordinator-Elect: Suzanne Sears and Rich Gause; *State and Local Documents Task Force Secretary*: Samantha Hager and Annalise Sklar.

- The **Program Committee** had a program and a preconference approved for the 2009 Annual Conference. The program will be focused on government documents for kids tentatively titled "Gov Docs Kids Group Presents: Learn and Have Fun with Government Documents." A preconference focused on urban planning from 1909 forward was approved and will be very timely in Chicago because it is the site of the American Planning Association.
- The **Publications Committee** continues to be very busy with the new book edited by Andrea Morrison, *Managing Electronic Government Information in Libraries: Issues and Practices* due out in March 2008 and published by ALA Editions on behalf of GODORT. Plus, a new "Occasional Papers" series was approved and contributions will be solicited. The *DttP* editor's term is over with issue 2 in 2009, so those of you interested in editing, please look for the job description coming soon.
- The task forces were busy with the **State & Local Documents Task Force** voted to work with the **Rare and Endangered Government Publications Committee** to form a working group to develop a plan for creating a list on the wiki of state projects on preserving/capturing born digital documents. The **International Documents Task Force** created an ad hoc working group to explore the possibility and interest in add-

ing non-governmental organization information into the purpose of the Task Force to create a place for the discussion of NGO information. And the **Task Force for Electronic Archiving** looked at ways to archive GODORT's web and electronic communications. Their report is available on the GODORT web site.

The GODORT **Treasurer** reported that at the end of the ALA fiscal year (Aug. 31, 2007) GODORT was doing well. Many people contributed to the Rozkuszka Scholarship and the endowment. We collected \$246 in change at the Membership meeting for the Rozkuszka Scholarship.

The **Steering Committee** approved extending the term of the Ad Hoc Strategic Planning Committee for two more years. And once again, the GODORT@ala.org electronic discussion list was discussed and a new proposal to make this list more of a discussion list led by Steering members was approved by GODORT membership.

E-government was a hot topic with the **Legislation Committee** working with the **Government Information Subcommittee of ALA's Committee on Legislation (COL-GIS)**. Their discussion raised the issue for a need for clarity on a definition of e-government and for a venue within ALA for discussing e-government; that the discussion on e-government needs to bring in voices from across the association, including (especially) public libraries; and that e-government is important at the state and local levels as well as federal. COL-GIS agreed to devote a two-hour meeting at the Annual Conference in Anaheim for a deliberation on e-government to frame these issues.

Both **Legislation Committee** members and the **GODORT Councilor** were extremely busy working on six resolutions which were endorsed in principle: (1) *Resolution on Tribal College Library Membership in the Federal Depository Library Program*, (2) *Resolution on Government Printing Office FY 2009 Appropriations*, (3) *Resolution on Full Funding of the Federal Digital System*, (4) *Resolution on Safeguarding Electronic Government Information and E-Government*, (5) *Resolution Acknowledging the Courage of Mr. Bassem Youssef*, and (6) *Resolution Opposing Postal Rate Increases for Small Circulation Publications*. A *Memorial Resolution Remembering Robert Oakley* was still being developed. Two controversial topics were also discussed by ALA Council. The opening up of the electronic lists of ALA units was referred to the Task Force on Electronic Communication. The Task Force will report in 2009. Meanwhile the *Protocol for Responding to a Formal Request for an ALA Position* was tabled.

In Memoriam: GODORT lost two colleagues last year. Robert Oakley, AALL Washington affairs representative and director of the law library and professor of law at Georgetown University, died unexpectedly September 29, 2007, and Vivian Moorhouse of GPO. Bill Sleeman called for a moment of silence to honor the memory of Moorhouse, who died on December 7, 2007. Sleeman read a statement in her honor recognizing her forty years of service to the GPO and the Library Programs Service.

For the complete minutes, please see the GODORT web site at www.ala.org/ala/godort/godortminutes.—*Aimée C. Quinn, GODORT Past Chair*

ALA GODORT Councilor's Report

2008 ALA Midwinter Meeting, Philadelphia

A highlight of the Midwinter Meeting's Council sessions was the smooth and deliberate passage of four government information-related resolutions, three of which were initiated by ALA GODORT's Legislation Committee, chaired by Kevin McClure. These included: Resolution on Government Printing Office FY 2009 Appropriations; Resolution on Tribal College Library Membership in the Federal Depository Library Program; and Resolution on Full Funding of the Federal Digital System (Council Document nos. 20.1, 20.2, and 20.6 respectively). The fourth, Resolution on Safeguarding Electronic Government Information and E-Government (Council Document no. 20.3), was passed with minimal revision. Endorsed by GODORT in principle, this resolution was prepared by the ALA Committee on Legislation's Government Information Subcommittee, chaired by Michele McKnelly. GODORT also endorsed the Resolution Opposing Postal Rate Increases for Small Circulation Publications (Council Document no. 20.4), and the Resolution on Commending the FBI Whistleblower [Bassem Youssef] (Council Document no. 20.5). Mr. Youssef, the highest ranking Arab-American FBI agent, was scheduled as a formal speaker at Midwinter, but the FBI restricted him to answering questions. He was accompanied by Stephen M. Kohn, his attorney. Council voted in favor of both resolutions. These important action items were presented at Council III on January 16, 2008, by Camila Alire, chair of the ALA Committee on Legislation, along with the committee's Midwinter Report to Council (Council Document no. 20).

During her report, Ms. Alire announced that National Library Legislative Day (NLLD) will be held on May 13 and 14, 2008, in Washington, D.C. She also indicated that the ALA Committee on Legislation wants to ensure that all divisions and round tables designate representatives to its Legislation Assembly. State and regional chapters are invited to do this as well. The assembly, at present chaired by McKnelly, provides the liaisons with the opportunity to exchange legislative concerns, discuss resolutions, and pursue advocacy measures.

After considerable debate, Council passed the Social Responsibilities Round Table's (SRRT) Resolution on the Crisis in Kenya (Council Document no. 42). Two other resolutions passed during Midwinter. The Resolution on the Confiscation of Iraqi Documents from the Iraq National Library and Archives (Council Document no. 44) received substantial support as did the Resolution on Providing Accessible Workstations and Other Accommodations at American Library Association Midwinter Meetings and Annual Conferences (Council Document no. 36 Revised).

In addition, during Council III, ALA President Lorlene Roy presented memorials to Robert L. Oakley, American Association of Law Libraries (AALL) Washington affairs representative and director of the law library and professor of law at Georgetown University, and also to Joanne Goodman Michaels, Cynthia B. Duncan, and Barbara Will. Tributes were made in honor of the ALA ACRL Rare Books and Manuscripts Section and Lynn

El-Hoshy. Three new ALA Executive Board members were elected. They are: Diane R. Chen, Joseph M. Eagan, and Em Claire Knowles. Also, as a part of the Treasurer's Report, the following Programmatic Priorities were approved and will serve as a guide in preparation of the FY2009 budget: Advocacy for Libraries and the Profession, Diversity, Education in Lifetime Learning, Equitable Access to Information and Library Service, Intellectual Freedom, Literacy, and Organizational Excellence. These will serve as a guide in the preparation of the FY2009 budget. ALA Committee on Organization has advised the establishment of an Advocacy Committee to become active at the close of the 2008 ALA Annual Conference.

As per tradition, the ALA Council/Executive Board/Membership Information Session was held Sunday, January 13, 2008, immediately followed by Council I. Marcia Boosinger, who is cochair of the Presidential Task Force on the Graduated Dues Study, reported that a thorough study on the subject would cost nearly \$519,000. Only the \$45,000 survey portion is expected to be conducted. Marilyn L. Hinshaw, chair of the Budget Analysis and Review Committee (BARC), had better news to the effect that ALA continues to manage its finances carefully. Nominations for the ALA Council Executive Board election were presented by Jim Rettig, chair of the Committee on Committees, and reports of the officers were provided. Much discussion of Councilor Melora Ranney Norman's A Resolution on Member Access to Electronic Lists of ALA occurred. Ultimately it was referred to the Task Force on E-Member

Participation (TFOEMP) for consideration within the context of its broader charge. The task force's First Interim Report, Midwinter 2008, was distributed on site. Councilor Janet Swann Hill chairs the TFOEMP. Council II, held Tuesday, January 15, 2008, debated candidate endorsements, and asked that

the ALA Executive Board revisit the guidelines and policies, and report back to Council at this year's ALA Annual Conference. Honorary memberships for Pat Mora, Effie Lee Morris, and Peggy Sullivan were overwhelmingly approved by Council. Also of note, Council adopted a revision of the Standards for

Accreditation of Master's Programs in Library and Information Studies, 1992.

For copies of resolutions, see ALA Washington Office web site, www.ala.org/ala/washoff/referenceab/colresolutions/colresolutions.cfm.

—*Mary Mallory, GODORT Councilor*

Anaheim's Looking Gorgeous for GODORT Programming . . . Come Be One of the Beautiful People!



Got Elections? Informing the Public

Full-day preconference at Cal State Fullerton (transportation provided from Convention Center)

Thursday, June 26, 8:30 A.M. to 4:30 P.M. GODORT members \$125, students/retirees \$100

An extravaganza of elections data: voters, candidates, campaign issues, election results. Keynote address by nationally recognized political analyst and commentator, Rhodes Cook (author of *America Votes*). Special guest stars representatives from League of Women Voters, Project Vote Smart, and the U.S. Census Bureau. Also starring Stephen Woods (Penn State), Chris Palazzolo (Emory), John Hernandez (Princeton), Erik Estep (East Carolina), and more. Who decides? Who runs? Who cares? Who wins?

Docs 2.0: Emerging Web Technologies for the Government Information Community

Half day preconference at Chapman University (transportation provided from Convention Center)

Friday, June 27, 9 A.M. to 12:30 P.M. GODORT members \$100, students/retirees \$75

Wikis, blogs, social tagging, custom search engines, Flickr—all serving the greater good of government documents. It's time you learned. Can you resist the likes of John Wonderlich (The OpenHouse Project), James Jacobs (Stanford), Amy West (Minnesota), Jim Jacobs (UC-San Diego, ret.) and David Oldenkamp (Indiana)? We think not!

Going Local: Statistical Resources for Business

Monday, June 30, 10:30 A.M. to noon. Free with conference badge.

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