The State of Public Access to Federal Government Databases Detailed in Recommended New Book

by Jennifer Behrens

EXECUTIVE AGENCY STRIPS ITS ONLINE DOCUMENT ARCHIVE TO LEAVE ONLY THOSE MATERIALS CONSISTENT WITH THE CURRENT ADMINISTRATION'S AGENDA. Government scientists are warned against publicly expressing views that run counter to the party line. State governments contract with the Department of Agriculture in order to prevent the public disclosure of retailers who are selling food subject to recalls.

Are these all subplots from a lost Orwell story? No, says the director of OpenTheGovernment.org, they are very true examples from the U.S. government in our post-9/11 political climate. In *Who Needs to Know? The State of Public Access to Federal Government Information*, Patrice McDermott examines the current state of public access to federal government databases, publications, and employees. It's a lively, ambitious work that is recommended for academic law libraries, government documents librarians, and anyone with an interest in government access policy issues.

McDermott is uniquely qualified to tackle this complex subject, having spent the majority of her career on the front lines of government information advocacy. Before joining OpenTheGovernment.org in 2006, she served as the director of the American Library Association's Office of Government Relations from 2001-2005 and previously worked as senior information policy analyst for OMB Watch, a nonprofit group devoted to increasing government transparency.

Given this background, it is not difficult to deduce McDermott's position on the issues—more public access to government is virtually always preferable to less, and the current tendency toward a “need to know”-based environment alarms her. However, McDermott wisely notes that while “access to information is always a political affair,” it is not necessarily “a partisan one.” While the majority of her examples are derived from the second Bush administration, McDermott presents her concerns in a measured manner, placing the current state of affairs in historical context and acknowledging the legitimate national security threats that may have prompted some of the more extreme recent measures. The result is an opinionated, but fair, examination of current policy.

*Who Needs to Know?* is loosely organized in two parts: “The Need for Findable and Usable Information” and “Approach to Openness and Accountability.” Part I explores the existing patchwork of legislation and policies that have created the current state of access to government information, in which individual departments and agencies collect data inconsistently, alter the presentation of that data frequently, and even abdicate access responsibility to private entities.

McDermott asserts that “no member of the public...should have to know how government organizes itself and its information in order to learn about its activities.” Yet this is precisely the situation created by the Freedom of Information Act (FOIA), its various amendments, and related laws. Users must know of an existing record that is maintained by a particular agency, draft a letter to the appropriate official, and wait through a hefty processing backlog to receive a reply—if the requested information does not fall under one of the many disclosure exemptions. Wouldn't it be nice, McDermott posits, if government information could be more readily accessible in databases that are not hidden from major search engines and are interoperable with each other? As Part I illustrates, the barrier to this vision is not a lack of policy on the issues of public access to information. However, the more encouraging legislation on the books is severely weakened by underenforcement (a 2007 report showed that fewer than a quarter of federal agencies actually post the records required by FOIA).

Part II outlines the troubling results of a government that ignores these various laws. Here, McDermott focuses on the role of the White House in shaping public access policy, compiling recent examples of the executive branch's tightened control over government information. This is an absorbing section of vignettes, but occasionally reads like a laundry list of government watchdog press releases.

McDermott ends on a hopeful, if cautious, note; she cites the 2008 election as a potential clean slate for access advocates, and presents readers with practical suggestions to become more involved in the process. (The *Open Government Act*, signed into law mere months after the book's publication, seems to confirm that the situation may soon improve.) Throughout the book, the author's conversational, relatable style illustrates not only why a longtime activist like McDermott cares about these issues, but rather why everybody should.

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