

## APPENDIX 14. SOME ISSUES AND CONCERNS TO ADDRESS

### SOME ISSUES AND CONCERNS THE RESOLUTION OF WHICH THE NCLIS STUDY OF PUBLIC INFORMATION REFORMS WILL ADDRESS AS OBJECTIVES

Note: This list of issues and concerns was developed in July 2000 and reflects the Commission's ideas at the beginning of the assessment. As was intended, these issues were expanded and changed as circumstances and opportunities warranted.

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#### BACKGROUND<sup>3</sup>

Fundamentally, the NCLIS Comprehensive Assessment of Public Information Dissemination stems from the August 12, 1999 announcement by the Department of Commerce to close NTIS because, in the Commerce view, "NTIS cannot continue in its role as a sales agent of government information when the same information is available for free on agency web sites."

In its Preliminary Assessment of the NTIS Closure final study report published in March, 2000, NCLIS took the view that the fundamental issues and concerns raised by the "NTIS matter" (such as downloading government information for free or relatively minimal costs compared to the price of print copies) are not issues and concerns that are limited to scientific and technical government information laws, policies, programs, and services. Instead they are an inseparable part of the broader need to reform government information dissemination to the public generally, not limited to scientific and technical information.

There are both *general* issues and concerns being raised, as well as many *specific* ones. The NCLIS study cannot possibly deal exhaustively with all of the issues and concerns involved given the limited timeframe for the study, and the very limited available resources (the study will use volunteer help primarily; see the Study Plan Outline separately posted). Therefore, it is imperative that a realistic study plan be adopted that takes these constraints into account, but at the same time tries to live up to expectations as to what the study will accomplish.

It should also be noted that the President and the Congress are expecting a series of concrete, specific recommendations pointing the way to dealing with the issues and concerns documented, not merely a descriptive narrative that "illuminates" the challenges and problems.

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<sup>3</sup> Available at <http://www.nclis.gov/govt/assess/assess.appen14.pdf> and at <http://www.nclis.gov/govt/assess/concerns.html>. This appendix was last revised on July 25, 2000.

### GENERAL ISSUES AND CONCERNS

From a dissemination of government information to the public standpoint:

1. How is the dramatic expansion of the availability of, accessibility to, searchability of, retrievability of (e.g. downloading) and deliverability of its government data, information, and knowledge resources, virtually at no charge to the public via agency web sites on the World Wide Web and the Internet, very significantly changing and realigning the traditional missions, roles, functions, authorities, and responsibilities of the major government information players and stakeholders? These players and stakeholders include:
  - a. The federal government
    - Congress and its committees as well as Legislative Branch agencies;
    - The Judicial Branch;
    - The President and Executive Branch agencies (e.g. OMB, OSTP);
    - Major central government information resource service agencies (e.g. GPO, NTIS, national libraries, federal libraries and information centers, Library of Congress, etc.);
    - Individual federal agencies, including chief information officers and IRM departments, printers and publishers, librarians, public affairs officers, records officers, webmasters, and other functional groups, both program and central staff, concerned with information creating, organizing, storing, and distributing information resources to users;
    - The Federal Depository Library system;
    - Federal government information analysis, dissemination and referral centers, clearinghouses, repositories, depositories, archives and records facilities, and related types of service organizations; and
    - Historical offices and officers.
  - b. Lower levels of government, including tribal governments
    - State and local government chief information officers;
    - State and local government archives and records officers
    - State and local government libraries and librarians;
    - Public libraries and librarians, urban and rural;
    - School libraries and librarians at all levels;
    - Media centers and media specialists at all levels; and
    - Community centers.
  - c. The commercial for-profit sector, including entrepreneurs
    - Commercial for-profit publishers and information providers of government information, including information brokers and consultants;
    - Telecommunications service providers;
    - Computer and automation services providers; and
    - Online service providers.

- d. Academic, research and other institutions
    - University chief information officers;
    - Academic, research and other institutional publishers and information providers;
    - Hospital chief information officers;
    - Medical publishers and information providers;
    - Science and technology research publishers and information providers;
    - Data centers and data administrators
    - Information analysis centers and information analysts;
    - Information systems and Management Information Systems (MIS) officials; and
    - Medical and other kinds of institutional records officials.
  - e. The not-for-profit sector
    - Philanthropic and other foundation chief information officers;
    - Consulting organization chief information officers; and
    - Not-for-profit publishers and information providers.
  - f. Individual citizens
    - Individuals (for professional or work-related, educational, health care, consumer, recreational or other personal pursuits);
    - Senior citizens;
    - Youth;
    - Minority groups;
    - Rural and remote community dwellers;
    - Disadvantaged and disabled citizens; and
    - Public interest groups.
2. What are the major economic shifts and dislocations, including incentives and disincentives, that are occurring? The sectors affected include:
- Federal agency producers and providers of government information;
  - Collectors of government information, whether directly by the government or by its agents;
  - Organizers and "value-adders" of, and for, public domain knowledge holdings and information services for the public;
  - Custodians of government information and records, both temporary and permanent;
  - Distributors of government information, both public and private; and
  - Consumer-users of government information.

What are the consequences of these shifts and dislocations, both positive and negative? What new business models are appropriate, "state-of-the-art", feasible, and practical? What return is the government receiving from its investments (ROI) in

producing and disseminating information to the public, including the commercial for-profit sector?

3. What are the legal and policy constraints to creating optimal conditions and a positive and constructive environment so that the federal government can effectively position itself to exploit and maximize the positive advantages and opportunities of the changes occurring, and minimize the disadvantages and risks? Conversely, what enabling steps might be taken to put in place new and strengthened legal and policy tools to assist policy officials in exploiting more fully the benefits and values of electronic information approaches?
4. What are the likely major information handling and interchange capabilities going to be (hardware, software, networking, and so on) that will enable (or constrain) optimal models for continuing to strengthen government information dissemination to the public? The timeframes to consider are:
  - The short-term horizon from the present up to two years;
  - The mid-term horizon from 2-5 years; and
  - The long-term horizon from 5 years out.
5. What information produced or collected by the government cannot be made publicly available under treaties or laws or contractual agreements? Examples to consider include information (a) received under foreign exchange agreements; (b) pertaining to confidential personal or business records of individuals, commercial firms, or institutions; or (c) pertaining to national security matters. How can those safeguards and protections be harmonized in the interests of maximizing the information that can be made available to the public on the one hand, while at the same time minimizing the risk of illegal or inadvertent disclosure of protected information on the other?
6. How can the public and private sectors work together more effectively in partnership, collaborative, and complementary modes to make government information more easily and cost-effectively findable, searchable, retrievable, and deliverable by and to the public, in diverse mediums and formats, both "plain vanilla" and highly customized and specialized, than otherwise could be accomplished if the two sectors operated independently, in an uncoordinated, or even confrontational fashion? What "win-win scenarios" and models are appropriate?

### **SPECIFIC ISSUES AND CONCERNS**

1. How can the key information resources management policy concepts be, first, institutionalized in appropriate statutes and, second, spelled out in Executive Branch policies such as OMB circulars and bulletins, and/or perhaps an Executive Order, with respect to their definitions, scope and applicability, policies, agency authorities and responsibilities, and other particulars? The four key IRM policy concepts are:
  - Permanent public access to government information;
  - No fee or minimal fee public access to government information (e.g. perhaps replacing some document fees with free electronic access on the Internet);
  - Permanent records retention of official agency records;
  - Authentication of official government information; and
  - Preservation of government information to protect against medium or format obsolescence, degradation, or destruction.

*Note: OMB Circular A-130, The Management of Federal Information Resources, is currently undergoing revision, and although the period for public comment has passed, it still may be possible to make recommendations to the Office of Information and Regulatory Affairs (OIRA).<sup>4</sup>*

2. At the agency level, how can we ensure that (a) internal directives effectively address and implement the various legal and procedural requirements implicit in the foregoing key information resources management policy concepts, and (b) actual agency practices reflect both the spirit and the letter of both the government-wide guidance and internal agency directives? One example is by using "best practices" approaches.
  
3. How can the "single, one stop service" idea applied to accessing government information, using a single, central, authoritative, and comprehensive series of indexes and search engines, be institutionalized? This should be done so that users of government information do not have to necessarily first know:
  - In what agency (perhaps many levels down), and on which agency web site (perhaps a brand new web site, or conversely one which has been dismantled recently) the information they are seeking is (or was) housed, recognizing that government information is dispersed, fragmented, and compartmentalized all across government in all branches and agencies, in quasi-government institutions, in private institutions, and elsewhere;
  - On what kind of computer platform the information, if electronic, is based;
  - In what kind of facility, the information is stored, if paper-based, or in microform, CD-ROM or other pre-electronic medium or format;
  - Which kind of free or proprietary software may be needed to search for, access, retrieve, and download information once located, including the need for special training; and
  - In what medium or format the information may be organized, stored, whether, for example, in electronic mediums and formats on web sites such as electronic publications, electronic databases, bulletin boards, or other electronic configurations, or in paper-based, microfiche, CD-ROM, or other pre-electronic medium collections, such as stored in office files, on library shelves, in records or archival or museum collections, and elsewhere.

In this regard, the FirstGov and WebGov portal initiatives currently being piloted and developed by the NPR Clearinghouse Partnerships group under the aegis of the President's Management Council should be investigated, as well as the GovernmentConnection.Com initiatives.

4. Should the government operate parallel, competing programs involving disseminating government information products and services to the public, or consolidate programs and services into a single, integrated program?

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<sup>4</sup> The revision of OMB Circular A-130 was completed during the course of the study. The revised circular is available at <http://www.whitehouse.gov/omb/circulars/a130/a130trans4.html>. U.S. Office of Management and Budget, "Management of Federal Information Resources," OMB Circular A-130, Washington, DC: Office of Management and Budget, November 30, 2000.

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5. How can the actions contemplated herein be time-phased so that allowance is made for transition periods in order to move smoothly from actions that could and should be taken in the short-term (perhaps immediately or in the next year), the mid-term (perhaps 2-5 years from now), or in the long-term (perhaps further out than 5 years)?
6. What steps can educational institutions and organizations take, both public and private sector, both academic and commercial training companies, take to help bring individuals who do not have the requisite level of computer and information literacy skills up to at least a minimal level of proficiency so that they can utilize computers and other kinds of information appliances to find and retrieve government information? In this regard, what are the opportunities for making greater use of distance learning? How information is assimilated from online sources versus how it is assimilated from print sources should also be explored? (The Stephen King book "The Plant" being made available online in chapter installments is a case in point.)
7. What actions can the public and private sectors take to help the financially, physically, culturally, racially, age and gender, and intellectually disabled and disadvantaged populations to access government information more efficiently and cost-effectively?