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Public Works Projects for the Internet

April 11, 2008

The Honorable Nancy Pelosi
Office of the Speaker
H-232, US Capitol
Washington, D.C. 20515

Dear Speaker Pelosi:

In an article in yesterday's Washington Post under the headline "[Et Tu, YouTube?](#)," your office announced an exclusive non-competitive arrangement between your office on behalf of the House of Representatives and Google:

"So at a meeting this week, the commission hit on a compromise that could push House Web sites into the modern age of mass communications. Aides to House Speaker Nancy Pelosi (D-Calif.) put out a request for an easy-to-use video Web site that could establish a commercial-free zone devoid of Avril Lavigne footage or "Planet Unicorn" ring tones, another inexplicable byproduct of a search for Pence-related video.

Within a month, the one and only responder, YouTube, should have its commercial-free zone up and running.

While this may be a "commercial-free zone," this certainly looks like a commercial arrangement. I am not certain how much of this article is accurate, but it certainly raised some concerns.

As you know, I have been in intensive discussions with your staff since March 13, 2007 when I submitted to you a [comprehensive report](#) on the issue of Congressional video. During that period, I have received 59 email messages from your Director of New Media. I was also involved in discussions in several meetings at the Capitol, and have corresponded and talked regularly with staff from the Committees on House Administration, Government Oversight, Energy and Commerce, and Appropriations, as well as with technical and managerial staff from the Chief Administrative Officer of the U.S. House of Representatives.

As you know, we conducted a very well-received pilot program last year with 4 committees and placed high-resolution video in several locations, including YouTube and the Internet Archive. We also helped [clear up](#) the issue of copyright over Congressional hearings from C-SPAN after your office received a takedown notice from them. Finally, a formal plan was submitted to your office for your support which would have resulted in placing on-line the massive archive maintained by the House Broadcast Studio, a proposal which was supported by the technical staff of both the House and the Government Printing Office.

The issue at hand is not one of long-term progress. Your office has successfully spearheaded a long-term expansion of the House video capabilities, including real progress in wiring the hearing rooms and planning for systematic archiving of video in several years. Those efforts should be applauded, as are your desire to take more immediate steps to accelerate the process.

We have no objection to a YouTube arrangement, however we would like your office to also consider alternatives so that the process is fair and provides the maximum benefit possible to members of Congress and to the general public. In particular, we would appreciate your consideration of our FedFlix proposal, a program we have successfully piloted under [Joint Venture 1832](#) with the National Technical Information Service and which has resulted in hundreds of executive branch videos being made broadly available without restriction.

The FedFlix program has the following elements:

1. We would write to each Congressional committee and ask if the Chairman has any objections to video from their committees being placed on the Internet.
2. The list of participating committees would be submitted to the House Broadcast Studio.
3. Each month, the House Broadcast Studio would select a number of hearings on tapes, DVDs, or other media in the format most convenient to them. The number of such hearings they select each month could be set in advance at a level that is convenient to their production needs.
4. The hearings are sent to us. We are happy to pay your postage charges.
5. We duplicate the media and then send the hearings back to you.
6. We place the hearings on-line in multiple locations such as the non-commercial 501(c)(3) Internet Archive for the public to access.

Alternatively, you could reach a similar outcome of placing the House DVD jukebox on the Internet by having your CAO technical staff or the Government Printing Office host the data on an FTP server. Either way, this would be a very valuable supplement to your current YouTube arrangement.

We understand that you have many issues to consider in deciding how to move forward and all I am asking you for is the same consideration as Google got.

Carl Malamud
President & CEO
Public.Resource.Org, Inc.