



Public Works Projects for the Internet

June 26, 2008

Timothy P. Bowling
Chief Quality Officer
United States Government Accountability Office
Washington, DC 20548

Subj: Unsolicited Joint Venture Proposal

Dear Mr. Bowling:

Thank you very much for your letter of June 2, 2008 and the 10 DVDs you enclosed. I realize this is only an early prototype and is nothing like the material that Thomson West has, but I think you'll agree that even this subset will be very useful to those that work with legislative histories, and it certainly illustrates very concretely how valuable and impressive the compilations created by the talented staff of the General Accountability Office are. We have placed the 619,481 pages of data you released at the following location:

<http://bulk.resource.org/gao.gov/>

I was not privy to the thought process that resulted in the Thomson West contract though it appears the process was quite deliberate and involved a lot of thought and I'm sure the Agency had the best of intentions. But, at the end of the day, I respectfully submit that you gave up a great deal in this arrangement and gained little.

Thomson West spent millions of dollars scanning these materials. The GAO spent a tremendous amount of staff time preparing the contract and then preparing the materials for shipment. At the end of the day, I think it is safe to say that Thomson West expects to get millions of dollars of revenue, and perhaps much more, or they would not have entered into this arrangement.

Did the GAO, by being granted a few logins for internal staff, get millions of dollars of benefit? Again, I submit to you that this seems unlikely. More importantly, by narrowly defining your role and treating these histories as being of internal use only, you have kept a precious and unique resource that the professional staff of the GAO has created from being used by a more general audience.

That general audience includes, of course, the American public. But, it also includes a large number of professionals who would benefit from this valuable resource. Indeed, I called several staff members of the U.S. Congress on committees with oversight responsibilities over the GAO, and even those members of congress and their staff do not have access to these legislative histories that were literally given to Thomson West. As best as we can tell, a Congressman would have to pay to access the histories!

I am writing today to propose a joint venture between the General Accountability Office and Public.Resource.Org. If you are not the proper point of contact for such an inquiry, I would appreciate your assistance in forwarding this letter to the proper parties. We propose that GAO ship the same materials to us that you shipped to Thomson West. We would, of course, be happy to wait in line behind Thomson West so as not to impact your current arrangement.

We would ask the Internet Archive, a non-profit organization that has been officially certified as meeting government archival scanning requirements, to scan these materials. The Internet Archive has successfully demonstrated the ability to provide such scans in a project we have conducted jointly with them including participants such as the Boston Public Library. You may view the initial 5,335 documents this project has scanned including 1,494,739 pages of material, predominantly congressional hearings:

<http://www.archive.org/details/USGovernmentDocuments>

We are asking for the same “terms” that you granted to Thomson West, which means no direct costs to the GAO. In return, we will return to you one full digital copy of all your data and will also place all this information on-line where it will be clearly marked as public domain material available for reuse without restriction. If you grant this request, we will obtain the funds to finance the Internet Archive’s scanning costs, so the only direct cost to the GAO would be administrative staff time, which would presumably be minimal since we will be receiving the Thomson West hand-me-downs.

It is tempting to view the Federal Legislative Histories as an internal tool compiled for and used only by a few GAO staff members. I hope you will take a more expansive view of your role as I believe the rest of the government looks to you for leadership in this area, as does the legal profession, scholars, and the general public. It would be a great tragedy if this wonderful resource your talented staff has compiled is not available to us all.

Thank you in advance for considering this request.

Carl Malamud
President & CEO
Public.Resource.Org