



# Cutting Through the Fog

Cass Hartnett & Kian Flynn, UW Libraries

# Reference & User Services Quarterly Article

*Cutting Through the Fog: Government Information, Librarians, and the Forty-Fifth Presidency*

*"I would say to my friend that while this topic (public access to government information) may not be on the front page of tomorrow's newspapers, it is vital to the continued health of a great democracy. And, to paraphrase . . . Thomas Jefferson: 'If we are to remain free, it is the responsibility of every American to be informed'—and our responsibility is to assist them with that information."*

—Senator Wendell H. Ford, speaking during a hearing on Public Access to Government Information in the 21st Century, June 18th, 1996

# Reference & User Services Quarterly Article



- *The President's Own Newspaper: Direct Communication to the American People*
- *Eluding Capture: The Social Media-Centric Federal Government Information of the Late 2010s*
- *Shining a Light: Educational Programming and Citizen Action*
- *Strengthening Existing Access Points: Structures Worth Saving*
- *Librarians: Collections We Should Be Highlighting*

# The President's Own Newspaper



**Donald J. Trump** ✓

@realDonaldTrump

My twitter followers will soon be over 2 million--& all the "biggies." It's like having your own newspaper.

8:07 AM · Oct 17, 2012 · [Twitter Web Client](#)

248 Retweets 278 Likes



**Donald J. Trump** ✓

@realDonaldTrump

My use of social media is not Presidential - it's MODERN DAY PRESIDENTIAL. Make America Great Again!

3:41 PM · Jul 1, 2017 · [Twitter for iPhone](#)

47.7K Retweets 174.7K Likes



**Donald J. Trump** ✓

@realDonaldTrump

Mike Pompeo, Director of the CIA, will become our new Secretary of State. He will do a fantastic job! Thank you to Rex Tillerson for his service! Gina Haspel will become the new Director of the CIA, and the first woman so chosen. Congratulations to all!

112K 5:44 AM - Mar 13, 2018

73.5K people are talking about this

# The President's Own Newspaper

Will Stringfellow & Hannah Bergman, *Do Tweets Document the Constitutional Duties of the President? Social Media and the Presidential Records Act* (Recorded conference presentation, Oct. 2019) <https://www.fdlp.gov/fall-2019-federal-depository-library-conference>



# The President's Own Newspaper

*"President Trump's Twitter account...has become an important source of news and information about the government, and an important public forum for speech by, to, and about the President."*

Complaint for Declaratory and Injunctive Relief, Knight First Amendment Institute et al v. Donald J Trump et al

KNIGHT FIRST AMENDMENT INSTITUTE  
AT COLUMBIA UNIVERSITY; REBECCA  
BUCKWALTER; PHILIP COHEN; HOLLY  
FIGUEROA; EUGENE GU; BRANDON  
NEELY; JOSEPH PAPP; and NICHOLAS  
PAPPAS,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United  
States; SEAN M. SPICER, White House Press  
Secretary; and DANIEL SCAVINO, White  
House Director of Social Media and Assistant  
to the President,

Defendants.

## COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

### Introduction

1. President Trump's Twitter account, @realDonaldTrump, has become an important source of news and information about the government, and an important public forum for speech by, to, and about the President. In an effort to suppress dissent in this forum, Defendants have excluded—"blocked"—Twitter users who have criticized the President or his policies. This practice is unconstitutional, and this suit seeks to end it.

2. As the Supreme Court recognized just a few weeks ago, social media platforms like Facebook and Twitter provide "perhaps the most powerful mechanisms available to a private citizen to make his or her voice heard." *Packingham v. North Carolina*, slip op. at 8, 582 U.S.

# Eluding Capture

Government Publications that contain Presidential records:

## **FEDERAL REGISTER**

The Daily Journal of the United States Government

**Federal Register** - executive orders, proclamations, and certain administrative orders

**Daily Compilation of Presidential Documents** - executive orders, proclamations, speeches, press conferences & releases, appointments, and more.

**Public Papers of the Presidents** - papers and speeches of the President issued by the Office of the Press Secretary.

None of these publications contain Presidential Social Media, e.g. Tweets and other social media communication forms.

# Eluding Capture

**Presidential Records** - “documentary materials...created or received by the President...in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the President.” 44 U.S.C. § 2201(2)

**Presidential Records Act** - “the President shall...assure that the activities, deliberations, decisions, and policies that reflect the performance of the President’s constitutional, statutory, or other official or ceremonial duties are adequately documented and that such records are preserved and maintained as Presidential records.” 44 U.S.C. § 2203



# Eluding Capture



Obama White House Twitter Archive

3 ITEMS

POTUS Twitter Archive zip

247 0 0

White House Twitter Archive zip

89 0 0

Obama White House Facebook Archive

1 ITEMS

Facebook\_White\_House\_Archive

88 0 0

FLOTUS Twitter Archive zip

36 0 0

Obama White House Vine Archive

1 ITEMS

Obama White House Vine Archive zip

31 0 0

# Eluding Capture



1895 - FDLP created. Approx 3 million items are distributed to FDLP libraries over the next 120+ years.

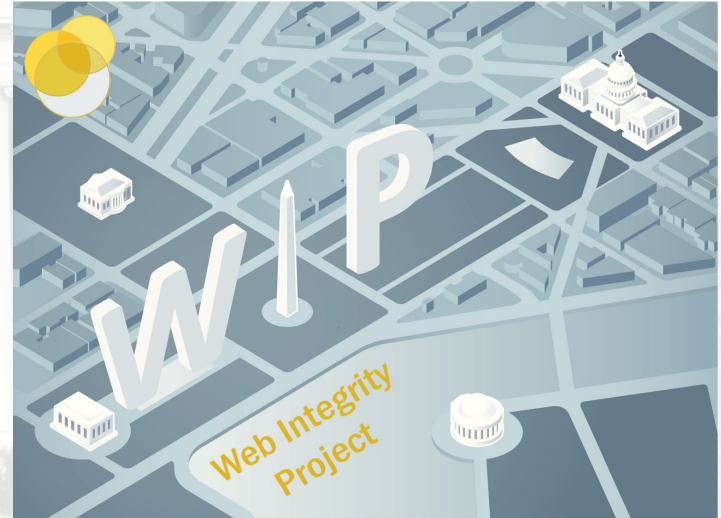
2013 - GPO estimates that 97 percent of federal government information is “born digital” and not systematically “held, managed, organized, or preserved by libraries”

2016 - 310 million website pages are harvested from federal government websites as part of the End of Term Archive web crawl.

# Shining a Light



**DataRefuge**



<https://sunlightfoundation.com/web-integrity-project/>

# Strengthening Existing Access Points

## FDLP

[govinfo.gov](https://www.govinfo.gov) -- official FDLP repository, ~1994 - present

[catalog.gpo.gov](https://catalog.gpo.gov) -- full cataloging records, ~1976 - present

FDLP Modernization Act of 2018 (HR 3505) ([stalled](#) Apr. 2018), librarians testified Sept. 2017 ([video](#)) that 44 USC 19 should be revised. GPO should be able to passively receive or actively harvest federal documents.

# Strengthening Existing Access Points

## Hathi Trust Digital Library

U.S. Federal Documents Program ([one-page](#) PDF)

[U.S. Federal Documents Collection](#)

[www.hathitrust.org/u-s-federal-documents-collections](http://www.hathitrust.org/u-s-federal-documents-collections)

- U.S. Congressional Serial Set
- Bureau of Indian Affairs
- Environmental Protection Agency
- Foreign Relations of the United States
- Statistical Abstract of the United States
- U.S. Civil Rights Commission

**But what is really getting used?**

[analytics.usa.gov](https://analytics.usa.gov)





# Podcasts and webinars

## Supreme Court podcasts

Amicus, Supreme Podcast, Oyez, More Perfect

## Civics

60-Second Civics, Civics 101, Let's Get Civic, Serial

## GovDocs Webinars

FDLP Training Repository, Help! I'm an Accidental Government Information Librarian

# Librarian Action



**GOVERNMENT INFORMATION**  
*Online* **Ask a Librarian**



**#COUNTONLIBRARIES**

U.S. Census 2020