

## FREEDOM OF INFORMATION AWARD

Thank you, Chief Justice Popovich and the Minnesota Coalition on Government Information. I appreciate the opportunity to talk about archives in the Information Age.

For nearly twenty years my job has been to preserve information in the form of primary resource materials and to make it available to the public. For the past eleven years as state archivist at the Minnesota Historical Society, I have been deeply involved in the issues surrounding government information. As I thought about this award, it became clear to me that my work to see that the valuable records of Minnesota's state and local governments not only are saved but also are available to those who need them, and my earlier aspirations to be a journalist, are closely related.

My high school journalism teacher, Dorothy Killeen -- a wonderful, enthusiastic woman -- and later an inspiring college journalism professor, opened my eyes to the necessity of freedom of information to the protection of democracy, to the extension of justice to all, to the establishment of true equality. The words of John Peter Zenger, Thomas Paine, and the Bill of Rights rang in my ears and they still do.

We are to be a self-governing nation. Government rests on our consent; it therefore must be accountable to us. But we, of course must exert the effort to make it accountable. Thomas Paine said: "Those who expect to reap the blessings of freedom must . . . undergo the fatigue of supporting it." In order for us to monitor and for government to operate honestly and fairly, we must have access to information about that government. That is the basis of all our freedoms.

The importance of access to government information (or the lack of it) and of the concomitant rights of free speech and a free press, are brought home to us vividly

every day as we watch the emergence of new systems of government -- nascent democracies -- in Eastern Europe and elsewhere. I heard a Polish journalist on the radio talking about the difficulty of learning how to operate a newspaper without government direction and censorship. He said it is hard because they don't know how or where to get information independently, and because now there are many choices to be made about value and validity that were not required previously. People in the U.S.S.R. are demanding environmental information, information previously withheld; a Green Party office has opened. People in the Eastern bloc are learning -- from previously secret archives -- the truth of the political deals that determined their fates after World War II. Here in the U.S., we see that records -- what they are, what they show, who can use them -- are at the heart of John Poindexter's and Manuel Noriega's cases. More down to earth, the record of your birth is important for getting a passport or Social Security; deeds protect your property ownership. Records also provide a cultural context; they help us know about ourselves and our history.

Archivists and librarians and my colleagues in the historical profession believe they have a duty to acquire materials for the use of the public, making decisions about acquisitions free from political or personal biases. They believe that the resources should be as open as possible and available equally to all. They believe that uses of library and archives materials must be held confidential. There are various threats to all of these premises, which I cannot take time to detail here. Let me just touch upon some archival concerns that I hope will become your concerns, too. New technologies are relying on records media that are not physically permanent; retrieval depends on hardware and software that rapidly become obsolete. The Federal government is drastically reducing the amount of government information it publishes

for wide distribution, and " privatization" of government information means that we, the taxpayers, will have to buy back -- at a premium -- information we paid to create. Computerization has many advantages, but increasingly information may be available only to those who have the financial ability and computer access to retrieve it. And it is hard to know what resides in those electronic devices and how that data is being used or abused.

There are many provisions in the legislature every session that propose to close certain information. While usually justified, this still bears watching. The state's Open Meeting Law has been dealt a critical blow by a State Supreme Court decision involving the disclosure of information protected by the Minnesota Government Data Practices Act. The difficult task of trying to reconcile those laws which have conflicted is under way in these halls and the outcome will be extremely important to maintaining our generally good climate of openness.

To end on a high note, we do largely have freedom of information in this country. The government does not keep secret archives (except the National Security Agency?). Anyone can use the records in the courthouses, the city halls, and in the Minnesota State Archives, subject as I have noted to some restrictions because of personal privacy and security concerns. Going back to where I started, it is especially pleasing to me that the Freedom of Information Award is named for a journalist. John R. Finnegan, the Minnesota Coalition on Government Information, and many other Minnesotans deserve our thanks for working to assure open government.

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