

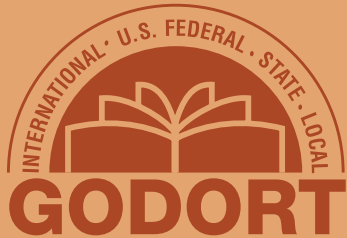
Student Features:

- The Relationship Between Government Documents and Black People Through the Coverage of the Black Panther Party
- Lessons Learned in Born-Digital Preservation
- Book Censorship in the United States
- So, You Have to Get Vaccinated?
- Speech-Giving and the Woman Suffrage Movement
- Evolution of English Language Learning in US Schools
- The Bureau of Home Economics

DttP

Documents to the People

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Editor's Corner

Welcome!

Jennifer Castle

I want to take up only a little of your time, dear reader, because I am excited to share the student issue with you. We received some solid nominations from instructors this year, and I hope you enjoy them as much as I and the *DttP* reviewers have.

But before you move on, I want to discuss my experience as GODORT's 2023 Emerging Leader briefly. My EL team members, Kelly Bilz (Thomas More University), Amanda He (New York University), Hale Polebaum-Freeman (Williams College), and Laura Tadena (Austin Public Library), were terrific and a joy to work with. Being sponsored by the Government Documents and Social Responsibilities Round Tables, we created an active, informative, and non-partisan campaign for libraries of all types (public, school, and academic in particular) to support community members in registering to vote and voting. We took the call further by creating a poster-making tool using Google API. A user entering a residential address into a Google form will auto-populate voting and election information into a customizable poster.

In the spring, we surveyed librarians (academic, public, school, etc.) to learn their needs and barriers regarding civic literacy and civic engagement. We used that information to inform what information should be accessed using the tool. We wrote a report and created a video, and GODORT has provided a [LibGuide](#) to host the project. Since we had six months

to fulfill our assignment, the tool is only a prototype. We understand it needs refinement, but it has much potential. We envision it can be created with different languages—hopefully, all available for the Census. It can be simplified for those with lower literacy levels. It could potentially generate programming plans. We presented a poster of our work and findings at the ALA annual conference in Chicago, and recommended to the round tables the project continue with future Emerging Leaders cohorts.

Also, while at the conference, I attended the GODORT awards ceremony at the historic Glessner House. Between the ceremony and the mixer, I was able to meet with GODORT members I'd only interacted with online. Many thanks to Jim Church, Brett Cloyd, Ben Aldred, and Kian Flynn for their time and conversation.

I am grateful for the opportunity to participate in such an excellent program that allowed me to work with like-minded colleagues to create something special—my immense gratitude to GODORT.

Jennifer Castle (jcastle@tnstate.edu), Instruction and Engagement Librarian, Tennessee State University

From the Chair

Benjamin Aldred

I was a folklorist before I was a librarian. And that means the first thing that comes to mind when I hear ‘round table’ isn’t ALA organizational structure, but Arthurian legend. While those things might feel worlds apart, a folklorist will tell you that legends are ostensibly historical stories that can provide an interpretive framework for contemporary experiences, the way we talk about the past is how we make sense of the present. So I think that stories of Arthur and his knights can provide relevant perspectives on GODORT and its greater role. I don’t just mean that government information librarians are heroic figures, though I won’t correct anyone else who says so, I mean that thinking about round table narratives can help us better understand round table realities.

One offbeat way to interpret the concept of the round table is as a community of practice, centered around a group of professionals(knights) doing a similar mission driven job(providing protection for the kingdom). The round table exists for the knights to share and discuss events from different parts of the country, to enlist aid when challenges exceed what one knight can handle on their own, and to find ways to encourage each other in the greater mission. In this framework, it’s easy to see that many of their successes come from shared egalitarian governance(the round table as a metaphor for equal status) and a focus on mentoring and professional development(Percival’s story, going from aspiring squire to grail finder), successes that GODORT would do well to emulate.

The round table is also a story of diverse perspectives and experiences helping the greater good. While dark ages Britain may seem like a homogenous and small place, the travel time from Cornwall to Orkney would be nearly a month, and the people spoke two different languages. The legend of the round table is one of bringing together different people to recognize the differing needs of their populations. Similarly, individual knights brought different experiences and skills that helped the greater whole succeed. Some problems were handled by designated groups in order to make use of particular interest and expertise. I’m not saying that Galahad, Bors and Percival were part of the Grail Quest Task Force, we don’t have the minutes to prove it wasn’t an ad hoc committee or interest group, but bringing together different skills proved vital to success. Additionally, many variations on the tales include international members from near and far, showing the importance of international perspectives even in a time thought of as highly insular.

Ultimately, the story of the round table is a story about national identity. My favorite scene in Monty Python and the Holy Grail is the scene where Arthur comes into conflict with a peasant over the nature of local governance. Are they an autonomous collective or a feudal monarchy? Do they have a concept of central government or merely local organization? Most importantly, do they understand themselves as “Britons.” This scene duplicates historical arguments hotly debated at the time about the formation of national identity. But as government information librarians, we understand that the sense of shared national identity often relies on materials shared by a central organization, materials that tell the story of the country, the state, or even the locality as a cohesive entity. The legend of the round table is a story shared about the value of national unity and collaboration, similar to the one that government information librarians share as they help people access the materials they need. While our approach to national stories may owe more to Benedict Anderson than Sir Thomas Malory, both help people conceive of the greater population in a way that brings people together.

The last way that I will stretch this metaphor is reflecting on the lessons I hope to take as chair of GODORT, in contrast with Arthur’s mistakes. I think that we have better succession planning than Camelot, and I look forward to both working with Kian Flynn as past chair and Andie Craley as chair-elect. I think GODORT benefits from not enforcing ranks the way a feudal monarchy does, though there is always work to do to make sure that all library workers who work with government information can be a part of this community, a goal I hope to work on in my time as chair.

This is not a golden age for librarians in the United States of America. We face challenges more extensive and serious than any of us have faced before. But the round table gives us a place to gather, a place to collaborate, a symbol that we can look to when we worry that we are alone in the battle. And it is a place where all voices are welcome as we try to forge a new future. I look forward to working with all of you in the year to come.

Benjamin Aldred (aldred2@uic.edu), Assistant Professor, Reference and Liaison Librarian, University of Illinois Chicago.

Dominique Hallett's enthusiasm for government information is immediately apparent as she exclaims, "NASA is cool!" while explaining how she uses NASA publications in information literacy instruction. As the Government Documents Coordinator and STEM Librarian at Arkansas State University's Dean B. Ellis Library, she is responsible for reference, instruction, and cataloging for government documents. As Dominique put it, "Basically, I'm the department here. I'm pretty much it."

Astate is a fifty-six percent federal depository and will quietly observe its 110th anniversary as a depository this year. When the library was undergoing a reorganization in 2014, her supervisor, April Sheppard, evidently saw the government documents gleam in Dominique's eye and said "I think you'd be great at this," whereupon Dominique became the government documents coordinator. She is proud that the library was the second in Arkansas to become a Preservation Steward and the first in the nation to be a Preservation Steward for NASA (natch!).

At Astate, Dominique teaches a one-credit class that trains students how to use the library. She also teaches the government documents class at the University of Illinois School of Information Sciences. Teaching the course was a "baptism by fire!" she joked. She explained that she was originally recruited to co-teach the course in Spring 2022 with Kenya Flash of Yale, but sadly Kenya passed away in late 2021. Scott Matheson, also of Yale (and now Superintendent of Documents), had previously co-taught the course with Kenya and he graciously stepped in to teach with Dominique during her first term as an instructor. It expanded her knowledge of federal government information and planted a desire to learn more about international government information. Data sciences is another interest, and after she finishes her doctorate, she would like to study statistics.

Dominique is currently working on her PhD in Heritage Studies at Astate and expects to finish within the next two years. Amazingly, she still has time in the midst of her teaching and doctoral studies to publish. She is especially proud of a book chapter that she wrote with Kenya.¹ That project led to her acquaintance with Tom Diamond and a co-edited book, *What Can US Government Information Do for Me?* which should be published in Fall 2023.²

NASA and the National Park Service are Dominique's favorite government agencies and she uses them as examples

when she teaches information literacy. "I have made connections with faculty that I would never have otherwise because of NASA," she said. Students in the graduate class do expert presentations about a particular government resource such as the Toxics Release Inventory. That inspired Dominique to envision a 10-minute podcast, "Docs Talk," about specific government documents or databases that she would like to launch in the future.

Dominique is concerned about the shift to an all-digital depository system because of the lack of internet access and computer literacy in some areas. She noted that southern Arkansas, for example, is an area where many people do not have consistent access to electricity, much less internet access or computers. "How often does Puerto Rico lose internet access and electricity? And how many people don't necessarily have computers, or the expertise to use them?" she asked by way of explanation.

On a personal level, Dominique is a fan of science fiction and fantasy and avidly listens to audio books. She just finished *Are You There, God? It's Me, Margaret* by Judy Blume and is currently reading *The Echo of Old Books* by Barbara Davis. She loves role playing games, especially *Dungeons and Dragons*, and has been known to stash dice in her office. She is also a fiber artist, dyer, knitter, and spinner. She even sent a hat she had knitted to Scott Matheson when he took office as the Superintendent of Documents.

Her biggest piece of advice for new government information librarians is to get to know someone who can help and be a mentor. She cited Karen Russ of the University of Arkansas at Little Rock and Frances Hager at Arkansas Tech as the people who helped her the most when she was new to the field. "I want to do a sort of pub crawl, a 'Docs Crawl' to visit every single depository in the State." It would be a fabulous way to get to know the depository community in the region, she added. Government documents librarians are "a small, close-knit community. I've got hundreds of friends that I can call on. Everybody knows everybody, and that's really cool."

Gwen Sinclair (gsinclair@hawaii.edu), Chair,
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University of Hawai'i at Mānoa Library.

Notes

1. Dominique Hallett and Kenya Flash, “Documents De-emphasized? The Shifting Roles of Government Information Professionals,” in *The Academic Librarian in the Digital Age: Essays on Changing Roles and Responsibilities*, ed. Tom Diamond (Jefferson, NC: McFarland, 2020), 108–19.
2. Tom Diamond and Dominique Hallett, eds., *What Can U.S. Government Information Do for Me?* (Jefferson, NC: McFarland, 2023).

Documents without Borders

Beneath the Rubble

Dory Shaffer

In my first few columns exploring the intricacies of international governmental information, I focused primarily on information provided by nations with strong institutions and long established international governmental organizations (IGOs). While I briefly mentioned potential flaws in information and data related to cultural preferences¹ and willful misleading²—I stayed away from discussing finding and evaluating information from nations with weak institutions. Government information specialists are well aware of the complexity of navigating a labyrinth of bureaucratic information that varies in how accessible it is, but what happens without even the assurance of that imperfect system? Nations that are mired in ongoing conflict, corruption, or whose institutions have been threatened by financial or climate crises face unique challenges in sharing or even preserving information. This column will look at examples of these situations, and strategies for accessing information that feels as though it is buried beneath the rubble.

While full global warfare as was seen in the twentieth century is not dominant today, civil wars and simmering regional disputes continue to erupt and deeply affect standard governmental functions—including the creation and preservation of information. In fact, the COVID-19 pandemic was an apparent contributor to increased chaos in conflict regions in recent years,³ inflaming issues that were previously simmering. The current conflict between Russia and Ukraine is a good example of how conflict can impact information availability. For example, Michigan State University's Global EDGE portal contains a large warning at the top of its page that reads, "Due to the ongoing political unrest and current military action by Russia, the information on these pages may not reflect current conditions in the country,"⁴ at the time of writing. Similarly, footnotes on UNData's report on Sudan note that there may be incongruities dating to the split with South Sudan in 2012 but are not current enough to note the current 2023 civil conflict in Sudan.⁵ And Ukraine's Open Data Portal⁶ (which receives a significant amount of funding from USAID) has been less robust since the Russian invasion, and according to the think tank Visegrad/Insight, researchers and reporters were denied access to DREAM, the country's digital state ecosystem until late summer 2023.⁷ Even for countries with impressive open data resources, like Ukraine, security can override transparency during conflict.

Nations not in active conflict but who suffer under corrupt leadership pose potent challenges to accessing current,

comprehensive, and accurate information. Freedom of information laws—like the Freedom of Information Act in the US⁸—allow press, researchers, and citizens to request government information and contribute to open government information portals. Such laws are often deeply limited or non-existent in nations with a high level of corruption. Venezuela is frequently listed as a country that not only lacks any freedom of information laws, but one that actively punishes dissenting views on the official line.⁹ Information promoted by such governments and state-controlled media should be viewed with a substantial level of skepticism. Further hardships and unrest—including the above-mentioned armed conflict, financial instability, natural disasters, and diminishing public trust¹⁰—can further corruption and weaken institutions. The small nation of Haiti, with their long history of severe natural disasters, political corruption, and foreign interference, is a good example of how these interplaying factors can be damaging to quality and public trust in information. The US Government Accountability Office recently noted in a report that "government institutions in Haiti have been under-resourced,"¹¹ providing limited quality services to meet basic needs. When a nation is in crisis, maintaining and disseminating government information easily falls to the wayside.

So how can government information specialists, researchers, and media navigate an international information landscape when one or more of these factors are present? Information documented by IGOs and nations with strong information gathering apparatuses can be a good place to start. This is particularly true for topics where outside nations have a vested interest, including commerce, military, and in the case of international treaties. North Korea is notoriously one of the most secretive nations in modern history, so looking at reports like the US Defense Intelligence Agency's Military Power Publications¹² can give researchers a look at information collected via high tech surveillance, declassified documents, and corroboration with regional allies. Think tanks and NGOs like the Wilson Center's North Korea International Documentation Project¹³ can also be excellent sources on nations that do not release their own quality information.

Unfortunately, these methods can still be flawed due to political influence and lack of interest or funds to research certain topics. Because there is intense interest in the potential threat North Korea poses to nations and organizations with ample resources, it will likely be easier to find reliable

information on their nuclear capabilities than their maternal mortality rate. When working to find information related to a nation with a weak information sharing system, it is crucial to check information across multiple sources. This is especially the case when utilizing information from an organization that is not well known to you or when the nation of interest has a combative relationship with the nation or organization whose information you are relying on.

Locating international government information is challenging enough without having to navigate nations that are unable or unwilling to share accurate information. However, if you know what to be on the look out for, there are still resources out there. The speed and ease of information sharing today may have many negative impacts including the spread of misinformation, but it also means that it is easier to monitor a conflict and more challenging for nations to cover up their faults.

Dory Shaffer (dmschaffe@mtu.edu), Research, Education & Outreach Librarian, Michigan Technological University.

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The Relationship Between Government Documents and Black People Through the Coverage of the Black Panther Party

Kyra Milan Abrams

The Black Panther Party (BPP) was a political organization rooted in Marxist-Leninist ideologies. This paper uses the BPP as a case study to examine how government documents cover Black people. This paper will only look at government documents from the period when the BPP was active, between 1966 and 1982. A distinction should be made between coverage of Black people through government documents through a government organization such as the US Census Bureau and the Federal Bureau of Investigation (FBI). The US Census Bureau does cover Black people and represents information on Black people in the United States. This information could include but is not limited to, how many Black people there are in a specific area or how many Black people there are by gender. In comparison, the FBI might have a biased agenda regarding why records were collected on Black people. While government organizations such as the US Census Bureau are valuable resources to examine how government documents cover or represent Black people, this paper will focus on government organizations that have the latter or a biased agenda. Bias typically has a negative connotation. However, in the case of the FBI, their mission is to protect the United States. Some FBI officials may have a bias in how this mission could be accomplished. This bias is not negative on its own, yet it could negatively affect certain people or groups. This paper intentionally argues that the coverage in official government documents of the Black Panther Party reflects how government documents cover Black people. While not all Black organizations represent all Black people, government officials use Black organizations as a method to

provide their opinions on Black people through government documents.

Literature Review

The BPP was a political organization founded in Oakland, California, in 1966 by Huey P. Newton and Bobby Seale. It became a notable organization during the Black Power movement. The organization was originally called the “Black Panther Party for Self Defense,” however, the “for Self Defense” was dropped after Newton noticed confusion surrounding the mission and goals of the BPP. The BPP provided many services to Black communities and poor communities across the United States. These services included policing the police, free breakfast programs for children, political education programs, free food programs, free medical assistance, free clothing, and free pest control.¹ The BPP peaked around 1970, with offices in 68 cities and connections with other radical movements globally. These radical movements included but were not limited to, supporting Algeria’s struggle for independence, attending the Hemispheric Conference to End the War in Vietnam, and creating solidarity committees in Stockholm, Oslo, and Helsinki. Their last office closed in 1982 following leadership difficulties and heightened interference from the government.²

Much of the pre-existing literature discusses the relationship between Black people and Congress.³ Most of this literature focuses on the media coverage of this relationship and not specifically on government documents. However, this relationship is still important as it can relate to how government

documents cover Black people. It has not been easy for Black people to work with Congress or work for Congress, as exemplified by the rough experience of the first Black Congressman.⁴ This difficulty can translate to how government documents cover Black people, as government documents might portray Black people negatively. There has been some research on how government documents cover Black people. In his 1987 article, “Government Policies and Black Progress: The Role of Social Research in Public Policy Debates,” Willard Richan illustrates the tendency to utilize results from research and government reports without context to promote agendas. He uses two documents, a report from the Rand Corporation and a report from the US Commission on Civil Rights, and provides context to show the arguments made by these two reports are not entirely true. Richan warns of the dangers of accepting potentially biased data in relation to decision-making as it could have negative impacts. Richan’s article is an example of how government documents can be used to promote biased information as fact and how one could accept those agendas as true and support their own possibly incorrect beliefs.⁵ In their 2000 book, “Racialized Coverage of Congress: The News in Black and White,” Jeremy Zilber and David Niven utilize media coverage to show how Black members of Congress have been negatively impacted. Both the Richan and the Zilber and Niven publications are examples of how government officials can use the government as a medium to portray beliefs about groups of people, specifically negative opinions about Black people.⁶ This paper will seek to add to the limited pre-existing literature surrounding Black people and how they are covered by government documents.

While the research focus in this paper is not explicitly on the Freedom of Information Act (FOIA), documents will be discussed that have been obtained through FOIA. Literature on FOIA compliments the sparse pre-existing literature surrounding Black people and how they are covered by government documents. In her 2008 article, “U.S. Government Surveillance and the Women’s Liberation Movement, 1968-1973: A Case Study,” Roberta Salper describes the process of obtaining her own FBI file through FOIA and the contents of the file. In his 2010 article, “The Freedom of Information Act and the Press: Obstruction or Transparency?” David T. Barstow illustrates his frustrations with FOIA pertaining to the rules that enhance the difficulty of utilizing FOIA. Salper uses FOIA as a method to show the redundancy of her file as she was essentially categorized as a threat to society for attempting to disrupt the status quo, while Barstow recounts his difficulties with FOIA and discusses legislation to provide context. Their critiques are aimed at different aspects, but both acknowledge FOIA’s capabilities.⁷

This paper will utilize the pre-existing literature to guide analysis of the FOIA documents, such as noting exemptions and the limitations of FOIA.

Documents

The first appearance of the BPP in the *Congressional Record* was in 1966. In the *Congressional Record* Volume 112, Part 14, there are multiple mentions of the BPP. The BPP is described as a “200-member gang.” This is in relation to riots in Cleveland that occurred in 1966. While a 17-year-old Black child reported that the BPP planned much of the riots, a grand jury found there was no evidence that any Black radical organization had been responsible.⁸ Additionally, a notable civil rights organization called the Student Nonviolent Coordinating Committee (SNCC) began to utilize the Black Panther emblem and chant “Black Power” slogans as Stokely Carmichael replaced John Lewis as the SNCC national chairman. John Lewis stated that the emblem and slogans were being used to strike fear in white people. Stokely Carmichael is credited as the founder of the BPP chapter in Lowndes County, Alabama, prior to becoming the national chairman of SNCC.⁹ The BPP would continue appearing in congressional records for years. By 1970 there was a significant increase in the mention of the BPP in congressional records. In the *Congressional Record* Volume 116, Part 20, there is significant mention of the BPP. A US House of Representatives from Ohio member, John M. Ashbrook, spoke about the BPP. He described the organization as “violent-prone” and “revolutionary.” He criticized media outlets for not describing the violent nature of the BPP enough. He distinctly separated the BPP from “good hardworking black Americans,” stating, “Surely, the majority of good honest black Americans do not sympathize with the Panthers.” He gave an overview of the BPP’s history, including facts about the members’ arrests and income information.¹⁰ He clearly believed the Black Panthers were a great threat to the United States.

In 1969, the FBI Field Office in Charlotte, North Carolina, opened an investigative file on the BPP. Many documents of the information the FBI collected were made public through FOIA. The FBI describes the BPP as “a black extremist organization founded in Oakland, California, in 1966. It advocated using violence and guerilla tactics to overthrow the US government.”¹¹ Their reasoning for collecting records on the BPP is “In 1969, the FBI’s Charlotte Field Office opened an investigative file on the BPP to track its militant activities, income, and expenses. This release contains Charlotte’s file on BPP activities from 1969 to 1976.”¹² This investigation began only three years after the creation of the BPP. In a 133-page file, the FBI documented information about the BPP. This is only one of

the 34 documents available, and it only covers the activity of the BPP between 1968 and 1969. The 133-page file includes plans the BPP made to have events, information about their newspaper, and any arrests made of BPP members. Some of the information is redacted, while some of it is unavailable due to FOIA exemption (7)(D) which protects the name of a confidential source. The reason for this protection is to ensure law enforcement agencies have less difficulty recruiting informants, as it decreases the chance of retaliation the source could face for providing information to law enforcement.¹³ It is clear from the way that the documents are typed that the FBI had informants attending BPP meetings to report back to the FBI on their activities. This included activities where no violence occurred.¹⁴

There are hundreds of documents archived through the National Archives and Records Administration (NARA), however, only less than a hundred documents are digitized. Some of these documents include two items written by Bobby Seale when he was on trial, a 586-page file and an 82-page file from the Federal Bureau of Investigation (FBI) under Classification 157 or “Civil Unrest.”¹⁵ The 586-page file is from Charlotte, North Carolina, and it is titled “Counterintelligence Matters—Black Nationalist Hate Groups—Black Panther Party.” The 82-page file is from Alexandria, Virginia, and it is titled “Counter-Intelligence Measures—Black Panther Party—Counter-Intelligence Program—Black Nationalist-Hate Groups—COINTELPRO—Black Extremists.” Both items that were written by Bobby Seale, a statement and a note, are a part of the Records of District Courts of the United States record group and the Criminal Case Files series. Bobby Seale was one of the defendants in the trial *United States v. Dellinger*, which is more commonly known as the trial of the Chicago Seven. In the statement, he wrote to Judge Julius Hoffman asking for the trial to be postponed as he did not want the current lawyer representing him to represent him. In the note, he detailed the harm he had experienced by the US Marshalls. Specifically, he noted that his blood circulation was interrupted, and the Marshalls attempted to push rags into his mouth after he mentioned his tonsils were in pain. The 586-page file contains documents from 1967 to 1977. It clearly states that the purpose of the FBI’s counterintelligence program is to “expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist, hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters, and to counter their propensity for violence and civil disorder.”¹⁶ This shows the intentionality of the FBI to effectively destroy the BPP and other similar groups. Many documents in the file elaborate on successful or unsuccessful attempts to obtain informants. One document describes how the FBI attempted to capitalize on the

leadership changes and divergence within the BPP in North Carolina in 1970 by utilizing the media to publicize the divide. The 82-page file also contains documents from 1967 to 1977. This file has similar information to the 586-page file, as it also covers the FBI’s counterintelligence program. It describes how the FBI sent mail encouraging unions and police organizations to boycott handing out BPP newspapers after hearing of a union refusing to pass out BPP newspapers. Both files have information restricted due to the aforementioned FOIA exemption.

Discussion

The language used to describe the BPP in the first year of their existence through congressional records is racially charged, for example, the description of the BPP as a “200-member gang” relates to the historical criminalization of Black people in the United States.¹⁷ This language was continuously used throughout the duration of the BPP’s existence by Congress and the FBI. This builds on the arguments made by the pre-existing literature that government officials can use the government as a medium to put forth negative opinions of Black people. Moreover, this paper expands on Zilber and Niven’s argument that it is not only the media that can be used to cause these harms. Additionally, this paper adds to Richan’s argument that government documents can be used to promote agendas. The negative language used in government documents caused tremendous harm to Black people by associating any Black people who worked with the BPP to be a threat. The immediate stigmatization of the BPP by the government was due to their politics and the methods of how they executed their politics. The FBI’s publication of the divide of the BPP in North Carolina shows how the FBI wanted the public to feel about the BPP. Additionally, Bobby Seale’s treatment in prison reflected the harm caused by the statements made in government documents.

As this paper only utilized some documents that were already retrieved by FOIA and were not specifically about FOIA, it cannot add any meaningful critiques about FOIA. This paper builds on Salper’s argument surrounding the redundancy of information collection. Some of the information collected on the activities of the BPP was not a threat to the United States at all. There was not any violence at some of the meetings, as noted by the documents. There were also documents that stated that someone refused to be an informant, and their case was closed. There did not seem to be any worth in this information collection besides the FBI’s own bias in attempting to infiltrate the BPP and other Black organizations.

One group does not represent Black people, as Black people are not a monolith. However, the BPP had a significantly large membership, and many Black people were supportive of the

BPP and believed in the BPP's mission. While it can be argued that the BPP does not represent all Black people, that would be partially incorrect. The BPP is recognized as one of the most dominant organizations during the Black Power movement for a reason. Their mission and actions resonated with people. This attempt to separate "good" Black people from "bad" Black people, only further dehumanizes Black people. It relies on the premise that "good" Black people are those who do not object to the status quo, and "bad" Black people are the ones who do. This premise was built on white supremacist notions through slavery. The members of the BPP were not perfect, however, they pushed to provide meaningful change to the lives of Black people and poor communities nationally and globally.

Conclusion

Clear biases were shown in the portrayal of the BPP through government documents. These biases are not unique to the BPP, they reflect the US's beliefs about defying the status quo and about Black people. This is also evidenced by the FBI's decision to target not only the BPP but many different Black organizations. A limitation of my research was the difficulty in understanding the FBI's documents. There was great difficulty in understanding the context behind the FBI's documents that were made available through FOIA. The lack of feasibility in questioning FBI officials or former BPP members about the documents limits the interpretation of some of the documents. Additionally, these documents include interviews with people and listed names of people. As there were many people connected to the BPP who were not famous, searching names online to find information on people mentioned in these documents was not a viable solution to provide further context to the documents. Future research could discover who these people are or explore the relationship between FOIA policies and implementation.

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Lessons Learned in Born-Digital Preservation

Miguel Beltran

As more government documents are created in digital mediums, it is increasingly important that agencies could preserve and make them available to the public. This article discusses one group of government documents related to the war in Afghanistan and the landscape that would potentially preserve them. Based on the current conditions, there is a possibility that these documents and those of a similar nature may be overlooked and lost to future generations.

In 2019, a series of articles published by *The Washington Post* provided an outlook of the war in Afghanistan mostly unknown to the public entitled “At War with the Truth.” Citing government documents, they [the documents] reveal, that despite the oversight of three presidential administrations, billions of dollars spent, and thousands of lives lost, the government failed to tell the truth about the conflict through its first eighteen years.¹ Drawn primarily from the Lessons Learned Reports produced by the Special Inspector General for Afghanistan Reconstruction (S.I.G.A.R) and various other government documents, a story unfolds of inconsistent strategy amplified by intentionally misinforming the public about the war’s progress.² These documents were largely unclassified until *The Washington Post* sought to obtain them through a Freedom of Information Act request prompting the government to then restrict some documents.³ A move that was overturned following a nearly three-year legal battle.⁴

These documents are now available online for anyone to peruse.⁵ Hosted by a .mil web address, the Lessons Learned Reports in their PDF format may stand the test of time and be preserved for researchers and the public alike. Reading them empowers the people to insist that their government representatives do not repeat the mistakes of the past. But will they be preserved? If they are preserved, how will the documents be discovered in the future? How will they be authenticated as legitimate government documents? These important questions determine whether lessons are learned from these reports. The

current transition from the production of tangible government publications to primarily born-digital content brings new challenges in addition to technologies and formats. Clear strategies and widespread collaboration are necessary to preserve government information on these mediums.

Without discussing the Government Publishing Office (GPO), no conversation about preserving government information is complete. Its mission is to “publish trusted information for the Federal Government to the American people.”⁶ In addition to the printing and distribution of tangible government publications, the GPO produces and distributes government information for all three branches while providing permanent access to this information via the Federal Depository Library Program (FDLP) and the website govinfo.gov.⁷ Historically, the FDLP was the workhorse of government preservation efforts. Documents in various physical formats were distributed to nationwide participating libraries, which then stored them for public access.⁸ The increase in born-digital government information is shifting preservation strategies in government organizations. The GPO defines preservation as “initiatives, programs, and processes designed to maintain useful access to information assets, serving the information needs of both present and future generations.”⁹

Note that this definition describes preservation as an ongoing process requiring the collaboration of many people and programs regardless of the medium in which the information asset exists. If documents and websites like the Lessons Learned Reports and the S.I.G.A.R website are to be preserved for both present and future generations, legal mandates by the federal government paired with sustainable funding are necessary. The GPO is the main government organization responsible for preservation and is currently a leading example to the world on how to do it.

Another major resource the GPO uses to fulfill its missions is the website govinfo.gov. This website is an online repository

that provides “free public access to official publications from all three branches of the federal government.”¹⁰ A one-stop shop for all major publications ranging from bills and statutes to judicial and regulatory information, govinfo.gov is the one website anyone interested in government information should know. As stated earlier, govinfo.gov is more than just a website. It is an online repository utilizing metadata-powered search engines, content management, and digital preservation compliant with ISO 16363.¹¹ This standard certifies its holders as a trustworthy digital repository. “As of July 2020, GPO is currently the only organization in the world to hold ISO 16363:2012 certification.”¹² Govinfo.gov may be the best example of how to preserve online materials in the world.

As we all know, not everything on the internet is true. How can the GPO reassure citizens that the content on govinfo.gov is authentic and true? “Because many of the official publications GPO provides online are in PDF format, GPO uses digital signature technology to provide evidence of authenticity and integrity and safeguard against unauthorized changes to these files.”¹³ This feature enables the use of digital versions of government documents for legal purposes. As an extension of the content already uploaded onto govinfo.gov, the GPO has invited members of the FDLP to help grow the digital national collection as digital preservation stewards, digital access partners, and digital content contributors.¹⁴ These commitments, if fully realized, enact a plan to digitize the entire FDLP collection through the use of PURLS and ingesting content onto govinfo.gov. It is worth noting that many items are also discoverable online via the Catalog of US Government Publications (CGP).¹⁵ This website is also maintained by the GPO and acts as an index for federal publications as well as a finding tool for historical and current publications. Direct links to documents are sometimes available.

We can assume that most of these digitization efforts will produce PDF images of documents and will therefore have the option to be authenticated when downloaded from govinfo.gov. However, not all government information is a document that can easily be transferred into a PDF format. Some government information is posted on websites without official publication in the form of a document. Since 2011, the GPO has partnered with the Internet Archive with the goal to “provide permanent public access to Federal Agency Web content, the Federal Depository Library Program harvests selected U.S. Government Web sites in their entirety.”¹⁶ The program is called the FDLP Web Archive. The key limitation of this program is that only selected government websites will be included for preservation. More importantly, information on harvested websites that is not published as a PDF currently cannot be authenticated.

Through the GPO, the government has taken commendable steps to ensure that born-digital government information and documents are preserved for future generations. There are, however, holes that some materials can slip through. The earlier example of the Lessons Learned Reports is one of these. While the reports themselves are, in fact, PDFs, which would allow them to be authenticated if they were housed on govinfo.gov. They, unfortunately, reside on a government website that is not harvested by the FDLP Web Archive. Now that US forces have withdrawn from Afghanistan, it stands to reason that S.I.G.A.R will be decommissioned if it has not been already. What will happen to the website if the program and its lead official no longer exist in the coming years? Will the documents created because of S.I.G.A.R be made accessible through other means? How will people come to discover those documents if they are unaware of their existence? Something that is accessible without discoverability is nearly unusable. The threat of these and other important government documents disappearing from public access increases as more of them are born digital.

While everything produced by the federal government cannot be captured at this time, the efforts of the GPO to preserve born-digital government information are commendable. Programs improve over time if adequate funding is provided and can expand appropriately. An example of one such program is the National Digital Information Infrastructure and Preservation Program (NDIIPP), formerly led by the Library of Congress. Although the NDIIPP is no longer an active program, “its success is evident in the diverse and mature digital preservation community that is now thriving in the United States.”¹⁷ This program began by focusing on three areas: building a network of partners; developing a technical infrastructure of tools and services; and capturing, preserving, and making available significant digital content.¹⁸ All three of these focal points can be observed in the GPO’s programs, initiatives, and technologies.

There must be widespread interagency collaboration to have the best results in preserving born-digital government documents and information. The current environment for dissemination of government publications flows through the GPO. “Federal agencies are required by statutory mandate to provide Federal publications to the Federal Depository Library Program (FDLP) and Cataloging & Indexing Program (44 U.S.C. §§ 1710, 1902-1903).”¹⁹ There is an inherent limitation in the definition of government publications that excludes some types of born-digital government information. “Government publication’ . . . means informational matter which is published as an individual document at Government expense, or as required by law.”²⁰ PDF documents fit neatly into this definition hence the

emphasis undertaken by the GPO to authenticate them. However, by definition, websites, audio recordings, video, and all other digital mediums are not required to be preserved. “Congress should establish a collaborative interagency process, and designate a lead agency or interagency organization, to develop and implement a government-wide strategy for managing the lifecycle of digital government information.”²¹ This may require expanding Title 44 of the United States Code or creating additional legislation to include new technologies, such as those used to produce born-digital content, or both.

This brief exploration into the preservation of born-digital government documents and information is just the tip of the iceberg regarding the future of preservation. We march towards a time when tangible mediums are rarely created, and most government information is born-digital. In this new environment, it may become increasingly difficult for the GPO to fund all of its preservation programs.

Only about 12 percent of GPO’s funding is appropriated directly to the Agency to cover the cost of congressional work, the Federal Depository Library Program, and supporting distribution programs. The rest of GPO’s revenue comes from reimbursements by customer agencies for work performed or sales of publications to the public.²²

It was, after all, a cessation of funds that ended the NDIIPP. Creating laws that mandate preserving born-digital government information and determining responsible agencies to oversee the process is the only way to ensure their transmission to future generations.

“These publications document the fundamental rights of the public, the actions of Federal officials in all three branches of our government, and the characteristics of our national experience.”²³ It appears that the Lessons Learned Reports are, in fact, government publications and should have been submitted to the GPO for dissemination. They are not, however, easily discoverable on govinfo.gov or in the CGP. As the website which houses them ages and maintenance decreases, it is possible that these documents and the lessons they contain will be lost to public access and discoverability: the title of this group of documents is ironic. The medium they have been published in and the strategies for preserving them may indeed demonstrate a lack of lessons learned. While the Internet Archive may harvest these webpages apart from the FDLP Web Archive, that would be haphazard preservation. There is no guarantee that the Internet Archive will capture the PDF documents. In fact, there is no guarantee that the Internet Archive will survive at

all. In the hundreds of years this democracy has existed, there have been many attempts to find and preserve the documents produced by our government. Our collective responsibility is to ensure that they survive despite changing technology. Failure to do so can, as in the case of Afghanistan, cost lives. Surely, we all can agree that it is something worth preserving.

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Book Censorship in the United States

A Government Documents Story

Claudia Davidson

In recent years, book bans and censorship have been serious topics of conversation in the United States. The American Library Association has been compiling data regarding censorship in libraries for more than twenty years. An announcement on March 22nd, 2023, reported 1,269 book censorship demands in 2022, the highest number yet recorded.¹

According to the announcement, this data is compiled through reports given to ALA's Office for Intellectual Freedom and challenges covered in the press. However, many censorship attempts are not reported, so this annual data is an incomplete overview of yearly trends. "Challenge" is defined as a complaint or attempt at removal; some challenges are resolved without removing the item from collections, while others do result in restriction or removal. Despite continual reports of challenges, ALA finds that most Americans are against book censorship and believe librarians make good decisions when building collections.²

2022 and 2023 featured an onslaught of federal and state attempts to censor materials. One of these is *H.R.5, The Parents Bill of Rights Act*, which passed the House of Representatives in March of 2023. This act would make it federally mandatory for elementary and secondary schools to notify parents of their rights to "inspect the books and other reading materials in the library of their child's school."³ Many criticize this act as an effort to ban more books in school libraries and to censor teachers.⁴

Book censorship has a vast international history beyond the last few years. This paper will highlight common historical and present-day reasons for book censorship across the United States. I will track the evolution of obscenity laws, a main player in book censorship for decades. I will discuss other common reasons for censorship, including LGBTQ+ themes, religious values, race, and political ideology.

On its web page "About Banned and Challenged Books," the American Library Association quotes Supreme Court Justice

William J. Brennan, Jr. in *Texas v. Johnson* (1989): "If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."⁵ Historically, however, "obscenity laws" have blurred the boundaries between what is dangerous and what is merely disagreeable to some.

Obscenity Laws

Central to the issue of book censorship is the question of obscenity. The definition of "obscenity" is often subjective. It is important to address what or who has historically decided whether material is inappropriate enough to be removed, censored, or restricted.

Anthony Comstock is an influential figure in developing United States obscenity laws. With the help of the Young Men's Christian Association (YMCA) in 1872, Comstock formed the New York Society for the Suppression of Vice. His slogan was "Morals, Not Art or Literature" (pp 294).⁶

In 1873, Comstock successfully urged Congress to pass a bill that would be known as the Comstock Act.⁷ It mandates that no "obscene, lewd, or lascivious book, pamphlet, picture, paper, print, or other publication of an indecent character [. . .] shall be carried in the mail." Any person who sends such materials in the mail would face fines or imprisonment. The Comstock Act specifically bans the mailing of contraceptives and any medical information on abortion and birth control but does not otherwise define "obscene, lewd, and lascivious"⁸

Despite its passage, the Comstock Act was far from universal acceptance. The National Defense Association, formed in response to the act, wrote a petition to repeal the law. It received over 70,000 signatures and was sent to Congress, but Comstock successfully alleged that many of the signatures were forgeries.⁹

Immediately following the passage of the Comstock Act, Anthony Comstock was appointed Special Agent of the Post Office Department, which gave him the power to enforce his namesake law.¹⁰ The United States Postal Inspection Service has a timeline on its website, which features a photo of Comstock for 1873. The caption reads, “The Postal Obscenity Statute is enacted by Congress, based on the urging of Special Agent Anthony Comstock.”¹¹

The Comstock Act was used to arrest Deboigne Bennett in 1879 for mailing a copy of *Cupid’s Yokes* (1876) by Ezra Heywood.¹² The case *United States v. Bennett* is notable because it set an official definition of obscenity in the United States by adopting the “Hicklin Test,” the British test of obscenity established in *Regina v. Hicklin* (1868). *United States v. Bennett* quotes Lord Chief Justice Cockburn as concluding in *Regina v. Hicklin*:

I think the test of obscenity is this, whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall. (pp 33)

The judge in *Bennett* agrees that this is a reasonable measure of obscenity. This case references a case against the author of the book in question, Ezra Heywood:

In the trial of the Heywood Case, Judge Clark, in charging the jury, said: A book is obscene, which is offensive to decency. A book, to be obscene, need not be obscene throughout the whole of its contents, but, if the book is obscene, lewd, or lascivious or indecent in whole or in part, it is an obscene book, within the meaning of the law, a lewd and lascivious and indecent book. (p. 34)

The judge confirms that the present case holds the same views (p. 66). These cases mandate that a book is obscene and thus banned from distribution through the postal service if merely one part of the whole provokes impure thoughts.¹³ This set a more specific definition of obscenity than the 1873 Comstock Law but still did not address the central issues of interpretation, subjective experience, and varying personal belief systems.

The 1933 district court case *United States v. One Book Called Ulysses* is a landmark case in which the United States federal government attempted a ban.¹⁴ The government claimed that the 1922 James Joyce novel *Ulysses* was obscene and thus banned from international importation under 19 U.S.C.S. § 1305.¹⁵ Judge John M. Woolsey found that the novel was not written

with pornographic intent and instead attempted to describe the realistic thoughts and actions of everyday people living in Dublin in 1904. The novel’s “obscene” words would have been known by most people at the time, and “under an objective, reasonable man standard,” the sexual content was not found to be out of the ordinary. Because it was not found to provoke impure thoughts beyond the average, *Ulysses* was not banned from importation. Judge Woolsey considered the book’s literary intent as a whole, a stark difference from the judge in *United States v. Bennett*, who refused to provide the jury with any passages of *Cupid’s Yokes* other than the few flagged as potentially obscene (pp 2).¹⁶ This act of viewing the questionable passages in context set the precedent to permit the importation of future works of literature containing sexual themes and coarse language.

The 1957 case *Roth v. United States* established a new test of obscenity.¹⁷ Samuel Roth, a New York City publisher and author, was previously tried for mailing a magazine containing erotic stories and pornographic photos. He was found guilty of violating 18 US Code § 1461, which bars the mailing of obscene materials.¹⁸ David Alberts, a Californian mail-order business owner, was convicted under California Penal Code §311 for mailing pornographic photos.¹⁹ Both appealed on grounds of First Amendment violations. The cases were consolidated before the Supreme Court in *Roth v. United States*. The judge determined that obscene materials were not covered by freedom of speech or press:

All ideas having even the slightest redeeming social importance—unorthodox ideas, controversial ideas, even ideas hateful to the prevailing climate of opinion—have the full protection of the guaranties . . . but implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance. (pp. 484–85).

This was a change from the Hicklin standard adopted in *United States v. Bennett*, which asserted that only one part of a material must cause impure thoughts to be banned from the postal system.²⁰ *Roth* clarifies that, to be considered obscene and thus not covered by the First Amendment, the material’s sole purpose must be to incite lustful thoughts.

In 1959, Reader’s Subscription, Inc mailed copies of an uncensored Grove Press version of D.H. Lawrence’s *Lady Chatterley’s Lover* to book club subscribers. The post office seized these copies and barred the Reader’s Subscription from mailing on grounds of *Lady Chatterley’s Lover*’s obscenity. Reader’s Subscription brought the post office to trial for unduly causing great harm to their business. The entire case file can be

found on Archives.gov, and the transcripts provide insight into the legal conversation around what constitutes obscenity.²¹ The transcript clarifies that D.H. Lawrence himself “did not believe in promiscuity, nor in homosexuality” (pp 43). It cites cases from the prior two years in which the Supreme Court judged materials to be against average community standards and thus obscene. These include magazines showing nude men and women, a magazine containing a story about a lesbian and a poem about a gay man, and a film containing a pedophilic scene (pp 48-49). Because *Lady Chatterley’s Lover* contains neither nude photos, homosexuality, or pedophilia, the court decided it was not considered obscene. The newly adopted definition of obscenity from the *Roth* case most likely played a role in this verdict, as it required that a material as a whole be inappropriate, not just small parts of it.²²

The definition of obscenity changed again in 1973 with the *Miller v. California* decision. Miller sent out advertisements for the sale of “adult” materials, and some people received them unwillingly. The court again held that the First Amendment does not protect obscenity, then adjusted the definition as established in *Roth*. Now, obscene material must, as a whole, lack “serious literary, artistic, political, or scientific value.”²³ This is the same test in use today, and it is listed on The United States Department of Justice’s “Citizen’s Guide to U.S. Federal Law on Obscenity” web page.²⁴ Crucially, the Miller standard focuses on applying “community standards” rather than one national standard for determining obscenity:

The jury may measure the essentially factual issues of prurient appeal and patent offensiveness by the standard that prevails in the forum community and need not employ a “national standard” (30-34).²⁵

This officially grants state and local levels the authority to determine obscenity, making it possible for a material to be considered obscene in one community and acceptable in another.

Obscenity is a common reason for book challenges today. HB 1205 of North Dakota passed a second reading in the House as of April 2023. This bill adopts language from the Miller Test to ban sexually explicit materials in public libraries. It focuses on children’s collections and leaves the determination of what constitutes “sexually explicit” to the “prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors” (Section 1.a(3)).²⁶

Virginia is an example of a state that has instituted its own obscenity law. § 18.2-384: “Proceeding against book alleged to be obscene,” gives citizens of any Virginia county the power to institute a court proceeding against any person or company

that sells or distributes a book they deem obscene.²⁷ Similar to the Miller standard, this statute dictates that obscenity is determined through local community standards and artistic value. Section E of this statute allows the court to issue a temporary sale ban on the offensive material before obscenity is legally determined. Section K mandates that during the temporary restraining order period, any person who sells or distributes the material is presumed to know it is considered obscene, meaning the seller could be charged even if they are unfamiliar with the content.

In an August 30, 2022, press release, the American Civil Liberties Union announced that the Circuit Court of Virginia Beach declined to label two books obscene after two petitions were filed. The books in question were *Gender Queer* (2019) by Maia Kobabe and *A Court of Mist and Fury* (2016) by Sarah J. K. Maas.²⁸ In a final order issued by Judge Pamela S. Baskerville, Virginia Code § 18.2-384 is declared unconstitutional for authorizing a prior restraint, presuming culpability of distributors who may not know a book’s obscenity status, and for violating due process.²⁹

Book Censorship Based on Ideas

Obscenity is far from the only reason for book censorship in the United States. Censorship of specific ideologies, beliefs, scientific theories, and identities is a historical and present theme.

Evolution

One idea that was historically censored in text is evolution. One of the longest-lasting bans was in Tennessee from 1925–1967. The 1925 Butler Act, “To prohibit the teaching of evolution in all schools in the State,” made it illegal for any partially or fully state-funded school or university to teach any theory that undermines biblical Creationism or claims humans are descended from a lower species (Section 1).³⁰ This extended to using Charles Darwin’s *On the Origin of Species* in schools and universities. The Butler Act was not overturned until 1967 in Tennessee House Bill No. 48.³¹

Communism

Book censorship based on political ideology was prevalent during the “Red Scare” period between roughly 1917–1957. There were rumors that the United States government burned books associated with communism, as evidenced in a 1953 Memorandum from the Director of the Psychological Strategy Board to the Under Secretary of State, found in volume 2, part 2 of the Foreign Relations of the United States (FRUS), National Security Affairs.³² It expresses concern for world opinion due to reports of book burnings in overseas libraries. The

memorandum recommends that the State Department manage overseas libraries with the same dedication to freedom of reading as stateside libraries. In the same FRUS volume is “Infoguide Bulletin 303,” which discusses how the State Department will manage Communist materials. Point three of the plan demands that periodic issues containing “any material detrimental to US objectives” be removed from United States Information Service (USIS) overseas libraries. Number four declares that all works from Communist authors are banned from such libraries (pp. 1686–87).³³

The Communist Control Act of 1954, with a stated aim to “outlaw the Communist Party,” advocates for censoring materials with ideas related to Communism.³⁴ Section 5 specifically outlines evidence that might suggest someone is a member of the Party. Points 9 and 10 condemn those who have “prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization,” and those who have “mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization” (pp. 775–77).

Sexuality, Gender, and Race Theory

Across present-day lists of challenged books, certain trends are apparent. The American Library Association compiles yearly book challenge reports. Each year, “sexually explicit” subject matter is one of the most common reasons for challenges. Many of these books are also LGBTQIA+ inclusive.³⁵

In October of 2021, Texas Senator Matt Krause issued an inquiry to the Texas Education Agency regarding the possession of certain books.³⁶ The letter commands that each Texas school district report how many copies of each book on an attached list they possess, how much funding was spent on them, and to list any other books they possess on the following topics:

Human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS), sexually explicit images, graphic presentations of sexual behavior that is in violation of the law, or contain material that might make students feel discomfort, guilt, anguish, or any other form of psychological distress because of their race or sex or convey that a student, by virtue of their race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.³⁷

The attached list targets 850 titles, many of which focus on LGBTQ+ identities and struggles, race and racism, abortion,

and gender. The *Texas Tribune* has [combined a full list of challenged titles](#).³⁸

Florida’s 2022 House Bill 1467 requires the review of every book in all K-12 libraries by a media specialist who has undergone mandatory Florida Department of Education materials review training. This includes classroom libraries previously developed by teachers. HB 1467 requires that each school library have a searchable database of its materials, and it mandates that, beginning June 30, 2023, each district school board submit a report to the Commissioner of Education listing every material that received a complaint and actions taken in response.³⁹

Two other Florida bills passed in 2022 supplement HB 1467. These are House Bill 1557, called the “Don’t Say Gay” law by critics, and HB 7, the “Stop the Wrongs to Our Kids and Employees (W.O.K.E.) Act.” Section 3 of HB 1557 prohibits instruction on sexual orientation or gender identity by school employees or third parties in grades K-12.⁴⁰ In March of 2023, Governor Ron DeSantis proposed expanding this Act to include restrictions on teaching about sexual orientation and gender identity up to the 12th grade.⁴¹ Florida’s House Bill 7 prohibits “instructional materials reviewers from recommending instructional materials that contain any matter that contradicts certain principles” (48-50).⁴² One of these principles is that “a person’s moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex” (233–35).

Due to these new laws, Florida media specialists, teachers, and school board members have begun to exercise great caution to avoid risking their careers. A fact sheet on Duval County’s website describes the steps the school board is taking to comply with these recent laws.⁴³ They have reviewed about 10,000 books so far using the state-mandated review process, but there is a total of about 1.6 million titles that 54 media specialists across the county must review. The web page states, “Based on state training on multiple laws dealing with gender and racial ideology in books,” Duval County is looking for material that might be considered pornographic, instruction on sexual and gender orientation, or might describe someone as “inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.” These descriptions encompass materials targeted by HB 1557 and HB 7. Full guidelines for reviewers can be found in Florida Statute 1006.31(2)(d): Duties of the Department of Education and school district instructional materials reviewer.⁴⁴

Conclusion

Book censorship attempts are pervasive across the nation. For all the people who advocate for censorship of ideas, identities,

Top Ten Government Documents

Year	Document	Description
1873	The Comstock Act (1873). <i>Statutes at Large</i> , 42nd Congress, 3rd Session, Sec. 148. <i>A century of lawmaking for a new nation: U.S. Congressional documents and debates, 1774-1874</i> . The Library of Congress: American Memory. https://memory.loc.gov/cgi-bin/ampage?collId=llsl&file Name=017/llsl017.db&recNum=640	The Act that enabled the United States Post Office to censor the distribution of materials deemed obscene, lewd, or lascivious.
1925	HB 185: Tennessee Evolution Statutes (1925). http://law2.umkc.edu/faculty/projects/ftrials/scopes/tennstat.htm	The law that banned the teaching of any theory that contradicts Creationism in Tennessee schools and Universities. Effectively banned <i>On the Origin of Species</i> by Charles Darwin. Was not overturned until 1967.
1953	Morgan, George A “Memorandum by the Acting Director of the Psychological Strategy Board (Morgan) to the Under Secretary of State (Smith).” 6 July 1953. In <i>Foreign Relations of the United States, 1952-1954, Volume II, Part 2, National Security Affairs</i> . Office of the Historian. https://history.state.gov/historicaldocuments/frus1952-54v02p2/d343	A memorandum to the Department of State advising that overseas libraries be treated with the same intellectual freedom as stateside libraries. This memorandum was in response to word that the United States burned communist materials.
1959-60	Reader’s Subscription, Inc. v. Robert K. Christenberry, Postmaster of New York City, June 10 1959- July 27 1960 [Electronic Resource]; Records of District Courts of the United States 1685-2009, Record Group 21; Civil Case Files 1938-1995; National Archives at New York [online version available through the Archival Research Catalog (ARC identifier 7595378) at https://catalog.archives.gov/id/7595378	An entire case file regarding the censorship of <i>Lady Chatterley’s Lover</i> under Comstock Laws. Shows legal discussion on the merits of the text. Determined it was not obscene because it aligned with common community values.
1973	Miller v. California, 413 U.S. 15 (Supreme Court of the United States, 1973). Retrieved from Nexis Uni database.	The case that adopted the definition of obscenity that is still in use today.
2021	Krause, Matt. <i>Re: School District Content Inquiry</i> (25 October 2021). Texas House or Representatives, Committee on General Investigating. https://static.texastribune.org/media/files/965725d7f01b8a25ca44b6fde2f5519b/krauseletter.pdf?_ga=2.167958177.1655224844.1635425114-1180900626.1635425114	An email from a Texas senator asking that all Texas school boards review their library collections for 850 specific titles. The list was originally attached to the email and can be found in the references page of this paper.
2022	U.S. House. Hearing of the Subcommittee of Civil Rights and Civil Liberties of the Committee on Oversight and Reform. <i>Free Speech Under Attack: Book Bans and Censorship</i> . 7 April 2022. https://www.govinfo.gov/content/pkg/CHRG-117hhr47266/html/CHRG-117hhr47266.htm	A House of Representatives hearing expressing concern about the growing problem of book banning and censorship. Teachers, librarians, and students testified for their rights to intellectual freedom.
2023	Pierce, T. and Ricks, L. (17 February 2023). <i>Facts about library books in Duval County public schools</i> . Duval County Public Schools. https://www.teamduval.org/2023/02/17/facts-about-library-books-in-duval-county-public-school	Duval County’s official webpage regarding their processes for reviewing library materials under new Florida laws.
2023	H.R.5—118th Congress (2023-2024): Parents Bill of Rights Act. (2023, March 27). https://www.congress.gov/bill/118th-congress/house-bill/5	A federal Bill in process which would make it mandatory to notify parents of their right to receive a comprehensive school library material list, as well as their right to inspect said books and materials.

and experiences through the written word, many people also fight for intellectual freedom and the freedom to read. In a 2022 hearing before the House of Representatives Subcommittee on Civil Rights and Civil Liberties titled “Free Speech Under Attack: Book Bans and Academic Censorship,” many of these voices were heard.⁴⁵ Teachers, librarians, students, and American Civil Rights Activist Ruby Bridges advocated for freedom of speech and thought in schools and universities. Jamie Raskin, Chairman of the Committee, opened with some insight:

The First Amendment, I used to tell my constitution law students, is like Abraham Lincoln’s golden apple of liberty . . . Everybody wants to take just one or two bites out of the apple. But if we allow all those bites,

there is no apple left. The freedom of speech disappears. The way to save the apple for all of us is to learn to tolerate the speech you will bore as well as the speech you agree with. It is not always easy, but this is incumbent upon people living in a free democratic society. If we cancel or censor everything that people find offensive, nothing will be left (p. 2).

In the words of Shreya Mehta, a Richland, Washington student who spoke at the hearing, “I believe that words have a lot of power and that they can teach us empathy and strengthen our democracy” (p. 7). Despite attempts to censor materials based on individual opinion, fear, and offensiveness, this is the essence of living under the United States’ First Amendment.

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So, You Have to Get Vaccinated?

A Brief Overview of State and Federal Authority to Mandate Vaccinations for Children

Lauren Hash

Vaccines are some of the most important inventions of the last several centuries, however, they are also possibly some of the most concerning, especially for new parents. Unfortunately, there has been a noticeable increase in hesitancy or outright hostility to vaccines over the years, which was furthered by the emergence of COVID-19 in 2020. It is understandable, with all the misinformation that has been spread over the last several years, that there are more parents that believe vaccination mandates violate their constitutional rights. However, it is important that parents understand that, while they may dislike it, they are still expected to comply with their state's required vaccine schedule before their children reach school age. This article will touch on who can mandate vaccinations, some prominent legal challenges that determined vaccination mandates are constitutional, and will provide several examples of budgetary and regulatory proposals submitted by the president and Congress that were used to influence vaccination programs at a federal level.

Background

Who has the authority to require vaccinations? This is a tricky question because the answer is technically both the state and federal government have the power to require vaccinations. However, each entity exerts this authority in a different way.

State

Generally, the state is the entity with the authority to mandate vaccinations as they are responsible for providing for the “public health, safety, and morals” of their citizens.¹ While the federal government may recommend a vaccination schedule for states to follow, it is left to the states to determine what they will require. States codify a list of vaccinations that are required by the state's department of health to attend school in their state code and will often provide a vaccination schedule that lists when each is required. Here is an example from the Indiana Code 20-34-4-2, as well as Indiana's vaccine schedule.²

Each state usually receives funding from the federal government, which is generally under the Preventative Health and Health Services Block Grant, that can be used to finance vaccination schedules across the state.³

While many of these mandates have been frequently challenged over the years, two prominent cases, *Jacobson v. Massachusetts* and *Zucht v. King*, establish the state's authority.⁴ Courts consistently use these cases to reject arguments from plaintiffs challenging the state's power to impose vaccination requirements.⁵ Though each of the fifty states and the District of Columbia have enacted laws requiring vaccination to attend school, there are several exemptions that parents often utilize to avoid these requirements, including “medical, religious, and philosophical objections.”⁶ Each state is left to determine which exemptions they will allow and failure to comply can result in a variety of penalties, such as the child being unable to attend school and civil or criminal penalties for the parents.⁷

While these vaccination schedules are mandatory and families can face penalties for not complying, they are often not enforced.⁸ This lack of enforcement often leads to outbreaks of viruses and illnesses that could have been prevented, even in those who have been vaccinated.⁹ For example, in 2016, there was a mumps outbreak across several university campuses in Indiana.¹⁰ At the time, several universities had not verified that they had received proof of vaccination, nor had they implemented policies for “excluding susceptible persons from classes and other group settings.”¹¹ This was not the only outbreak, leading universities to realize that they needed to monitor compliance of vaccinations.

Federal

Though states make most of the decisions regarding vaccination mandates, this does not mean that the federal government is completely without their own authority. They have some power thanks to the Commerce Clause and the Spending Clause

Indiana 2023-2024 Required and Recommended School Immunizations

Grade	Required	Recommended	
Pre-K	3 Hepatitis B 4 DTaP (Diphtheria, Tetanus & Pertussis) 3 Polio	1 Varicella (Chickenpox) 1 MMR (Measles, Mumps & Rubella) 2 Hepatitis A	Annual influenza COVID-19
K-5 th grade	3 Hepatitis B 5 DTaP 4 Polio	2 Varicella 2 MMR 2 Hepatitis A	Annual influenza COVID-19
6 th -11 th grade	3 Hepatitis B 5 DTaP 4 Polio 2 Varicella	2 MMR 2 Hepatitis A 1 MCV4 (Meningococcal) 1 Tdap (Tetanus, Diphtheria & Pertussis)	Annual influenza 2/3 HPV (Human papillomavirus) COVID-19
12 th grade	3 Hepatitis B 5 DTaP 4 Polio 2 Varicella	2 MMR 2 Hepatitis A 2 MCV4 1 Tdap	Annual influenza 2/3 HPV 2 MenB (Meningococcal) COVID-19

HepB: The minimum age for the 3rd dose of Hepatitis B is 24 weeks of age.

DTaP: 4 doses of DTaP/DTP/DT are acceptable if 4th dose was administered on or after child's 4th birthday.

Polio*: 3 doses of Polio are acceptable for all grade levels if the 3rd dose was given on or after the 4th birthday and at least 6 months after the previous dose.

*For students in grades K-12, the final dose must be administered on or after the 4th birthday and be administered at least 6 months after the previous dose.

Varicella: Physician documentation of disease history, including month and year, is proof of immunity for children entering preschool through 12th grade. Parent report of disease history is not acceptable.

Tdap: There is no minimum interval from the last Td dose.

MCV4: Individuals who receive dose 1 on or after the 16th birthday only need 1 dose of MCV4.

Hepatitis A: The minimum interval between 1st and 2nd dose is 6 calendar months. 2 doses are required for all grades Pre-K through 12.

COVID-19: COVID-19 vaccine is recommended for all students five years of age and older per CDC and FDA's Emergency Use Authorization. Review required after FDA full approval.

Indiana Department of Health
Immunization Division
(800) 701-0704

July 2022

Figure 1. Photograph of Indiana Vaccination Schedule for 2023-2024. Source: *Indiana 2023-2024 Required and Recommended School Immunizations*, Indiana Department of Health Immunization Division, last reviewed July, 2022. Photograph. <https://tinyurl.com/ynm2yjbh>.

located within the US Constitution.¹² The federal government can use these powers to regulate vaccinations through powers of interstate commerce, as well as using their spending power to offer federal funds to entities who follow set restrictions.¹³ However, the federal government does have some limitations on how they can use these powers, as they are unable to force states to require vaccinations and can only provide financial incentives to coerce them to comply.¹⁴

Usually, the federal government limits its dealings with vaccinations to a more administrative approach and, with the exception of a handful of populations—such as military personnel—they have not pushed their authority or set vaccination requirements.¹⁵ The majority of their influence comes from establishing various acts that ensure that states will implement vaccination programs to receive funding. In 1935, Congress established Title V of the Social Security Act, which authorized grants for states to extend and improve health programs for mothers and children, “especially in rural areas and in areas suffering from severe economic distress.”¹⁶ While they did not actively require the implementation of immunization programs to receive grant funds, states were required to “provide for the extension and improvement of local maternal and child-health services,” which often included immunization programs.¹⁷ Further, in 1944, Congress established the Public Health Service

Act, later amended in 1962, that further authorized federal grants in state and local vaccination programs.¹⁸

Definitions

It is important to know the terminology to properly understand the laws and regulations as they have been established. However, there isn't always a universal agreement about what a word means, especially between the law and science. This section will help lay out how the two have defined and interpreted various words.

Legal Definitions

Vaccine. There are several different interpretations of the word “vaccine” in the law, depending on where you look. One possible definition is found in 26 U.S.C. § 4132(a)(2), which states that “‘vaccine’ means any substance designed to be administered to a human being for the prevention of 1 or more diseases.”¹⁹ A second definition is found in 42 U.S.C. §1396s, which covers pediatric vaccines as part of a program ensuring that all children can have access to necessary vaccines. It states that pediatric vaccines are “a vaccine included on the list under subsection (e),” which points users in the direction of a list created by the Advisory Committee on Immunization Practices, without saying what is on the list.²⁰

Immunization. 42 U.S.C. §1396s also contains a definition for immunization, which states immunization means “an immunization against a vaccine-preventable disease.”²¹

Mandate. Like “vaccine,” there is more than one definition of mandate found in the law. The difference in these definitions is even trickier than those found in “vaccine” and would require more care in parsing out which is appropriate for the given situation. The term “federal mandate” is found in 2 U.S.C. §1555 and covers provisions that impose “an enforceable duty on State, local or tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.”²² In 2 U.S.C. §658(5), the phrase “federal intergovernmental mandate” seems to cover everything else regarding federal mandates that affect the public, and “federal private sector mandate” which covers those provisions with enforceable duties on the private sector.²³ Finally, there is another definition for “federal mandate” here that states it means “a Federal intergovernmental mandate or a Federal private sector mandate.”²⁴

Scientific Definitions

Vaccine. There are several definitions of “vaccine” from various scientific sites as well, however, they appear to be more straightforward. The Centers for Disease Control and Prevention (CDC) says that vaccines are “a preparation that is used to stimulate the body’s immune response against diseases. Vaccines are usually administered through needle injections, but some can be administered by mouth or sprayed into the nose.”²⁵ There is also a definition in MedlinePlus Health Topics that says vaccines are “injections (shots), liquids, pills, or nasal sprays that you take to teach your body’s immune system to recognize and defend against harmful germs.”²⁶

Immunization. The CDC says immunization is a “process by which a person becomes protected against a disease through vaccination.”²⁷

Vaccination. The CDC says vaccinations are the “act of introducing a vaccine into the body to produce protection from a specific disease.”²⁸

I have found that the scientific definitions of these terms are easier to understand and locate and would thus be much more useful to nonexperts than those found in the law. Should there be any confusion, researchers can also consult a glossary of terms published by the CDC that includes additional information.²⁹ Those found in law would be useful for those who require precise legal language, such as judges, attorneys, or legislators, however, it is not recommended that they be used to

instruct anyone outside of the law. They would also be useful to those looking to challenge vaccine mandates in court, as many have tried to do over the years.

Legal Challenges

There have been several legal challenges regarding vaccine mandates with two cases standing out as the most prominent. The first case is *Jacobson v. Massachusetts*. This is one of the earliest cases covering vaccine mandates, being decided by the Supreme Court in 1905, where Massachusetts required residents to get vaccinated against smallpox.³⁰ Jacobson argued that a vaccine mandate imposed by Massachusetts violated his liberty by threatening him with fines or imprisonment for refusing to get vaccinated, that a compulsory vaccination law was unreasonable, and that it was, therefore, adverse to every person’s right to make decisions for their own body and health, and that enforcing such a law was “nothing short of assault” against those who refuse to be vaccinated.³¹ The court, however, disagreed with him. They held that the state has the authority to require residents to get vaccinated when it was intended to protect its citizens’ public health and safety.³² They also pointed out that, while the mandate included an exception in regards to children that receive a doctor’s note saying that they are medically unfit to receive the vaccine and there wasn’t a similar exception for adults, the mandate is otherwise equally applicable to all in like condition and, therefore, does not violate Jacobson’s rights.³³

The second prominent case is *Zucht v. King*, a case that was brought before the Supreme Court in 1922 on writ of error.³⁴ In this case, an ordinance in Texas required all students to provide proof of vaccination to attend public and private school.³⁵ Zucht did not have this proof and was therefore excluded from school.³⁶ The family then brought a suit, alleging that the ordinances, by making vaccinations mandatory, were depriving Zucht of her liberty without the due process of law and that she was further deprived by the Board of Health’s use of authority to enforce the ordinances within their discretion without sufficient guidance.³⁷ The court determined that it was their duty to decline jurisdiction when the constitutional question upon which the jurisdiction depends was, at the time of granting the writ, not a substantial question, that city ordinances requiring vaccination to attend school did not violate equal protection, and that the question regarding whether the city official have administered a valid ordinance in a way that denied the plaintiff equal protection is not one which may brought by writ of error.³⁸ Therefore, the case was dismissed.³⁹

While both cases involve state vaccine requirements, they are important to know for those parents who may consider challenging similar mandates. They demonstrate that, yes, vaccines

can be mandatory and, yes, the government can require that your children be vaccinated to attend school. While this might be a concern for some parents as they may not be able to afford the necessary vaccines needed to send their kids to school, the federal government has been creating and amending programs over the years to ensure that all kids can receive the required vaccinations. However, there isn't always agreement on where the budget should be spent or whether programs should exist.

Budget and Regulation

Budgets

Funding for various vaccination programs has long been considered and included in many of the budget proposals from recent presidents. This is seen in President Biden's FY 2024 Budget Proposal where he proposes funds to expand the Vaccines for Children program to include all children under the age of 19 that are enrolled in the Children's Health Insurance Program.⁴⁰ Vaccine programs were also promoted in President Clinton's FY 1996 Budget Proposal where he discusses the goal of increasing the percentage of the children population's immunizations and increasing the funding of immunization programs to \$842 million in 1995 with the implementation of Vaccines for Children program.⁴¹

However, just because the president includes these issues in his Budget Proposals, doesn't mean they will be funded, as they must go through Congress to be implemented. You can see this in 2020's Labor, Health and Human Services, Education, Defense, State, Foreign Operations, and Energy and Water Development Appropriations Act.⁴² There, Representative Adam Schiff proposed an amendment in support of vaccines and their medical effectiveness, discussing how important they are and to combat the issues rising from the belief that we minimized the risk of several childhood diseases; therefore, vaccines should no longer be required.⁴³ In 2020 Rep. Schiff introduced House Amendment 290 to decrease the Health and Human Services General Department Management fund by \$5,000,000 and add that \$5,000,000 to the fund to specifically be used for a public health campaign to promote vaccine usage and combat vaccine hesitancy.⁴⁴ While this amendment was debated and agreed to by a majority vote in the House and was later introduced into the Senate, it was never enacted.

Regulation

Compared to budgetary proposals, regulatory proposals have been more frequently contested. Many regulations have been proposed over the years, from various sources, both in support of and against funding vaccine requirements.⁴⁵ Congress has passed acts such as the Vaccines for Children Act and the Vaccine and Immunizations Amendments of 1990.⁴⁶ There has also

been federal regulations that have been put in place by regulatory agencies, such as the Vaccine and Mask Requirements to Mitigate the Spread of COVID-19 in Head Start Programs.⁴⁷ All these programs were proposed and enacted to help further the vaccination requirements to protect the health and safety of the nation's citizens. They have also been enacted to extend existing programs to cover more people, especially children, that may have not been covered.

However, many believe these programs are unnecessary, especially since the emergence of COVID-19, and have proposed legislation to try and end programs. There have been proposals such as the Ending COVID Vaccine Mandates for Colleges and Universities Act and Eliminating the Head Start Vaccine Mandate Act, both having to do with COVID regulations.⁴⁸ There were many, many proposed bills that would end COVID regulations, however, most of them did not make it further than a recommendation to a subcommittee. There was, however, a provision in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act in 2008 that attempted to prohibit the Secretary of Health and Human Services from using funds for the administration of any influenza vaccine that contained thimerosal, a preservative that was falsely linked to the development of autism, to children under the age of three.⁴⁹ This provision was debated on the floor, and it appears many disagreed with the provision, therefore, the amendment was rejected.⁵⁰

Conclusion

By law, states recognize that it is very important for school children to receive their vaccinations on schedule. Otherwise, unvaccinated children can spread easily preventable infectious diseases. Most of the responsibility is on the state and local governments to ensure that parents follow the required vaccination schedules and that penalties for not doing so are enforced. It appears that they are not always successful in completing this mission. Local and state governments should determine what is necessary to make enforcement more effective, whether it be additional funding or more regulations, and follow through with any requests to the federal government.

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Speech-Giving and the Woman Suffrage Movement

Exploring Government Databases for Women's Voices

Nicole Songstad

This article addresses the Woman Suffrage Movement of the 19th century and its continued significance through the exploration of primary source government documents that largely focus on speeches delivered by women, such as Isabella Beecher Hooker, to Congress and current documents that inform these speeches through relevant historical contexts, such as the Equal Rights Amendment. The goal of engaging with these government documents in this way is to encourage increased accessibility of government information relevant to the Woman Suffrage Movement in teaching and learning within libraries and the US K-12 education system.

The Woman Suffrage Movement in the United States was a major milestone in women's fight for political, social, and economic equality.¹ The movement can be traced back to the mid-19th century when a small group of women began advocating for women's rights. In 1848, a group of women, including Elizabeth Cady Stanton and Lucretia Mott, organized the first women's rights convention in Seneca Falls, New York. At the convention, they issued a "Declaration of Sentiments," modeled after the Declaration of Independence, that demanded women's right to vote and women's equality with men.² The document asserted that women had the same rights as men and called for the end of woman's oppression.

It wasn't until the late 19th and early 20th centuries that the Movement gained momentum. The National American Woman Suffrage Association (NAWSA) was formed in 1890, and it became the largest and most influential organization in the Woman Suffrage Movement.³ This organization was the result of the union of the National Woman Suffrage Association (NWSA) and the American Woman Suffrage Association (AWSA). The two organizations merged in 1890 to form the National American Woman Suffrage Association (NAWSA) with Elizabeth Cady Stanton as its first president. After decades

of suffragists' campaigning and lobbying, the 19th Amendment was passed through a joint resolution of Congress.⁴ The resolution was first introduced in Congress in 1878, but it took more than four decades of suffragists' persistent activism through lobbying Congress and campaigning at the state and federal levels before it was finally passed.⁵

The suffragists used various tactics to achieve their goal—one of which was public speaking before Congress. Women's rights conventions and gatherings were organized by activists, such as Elizabeth Cady Stanton, Susan B. Anthony, and Lucretia Mott, who spoke on various issues affecting women, including voting rights. The main message of suffragist speeches was the need for women's political equality and the right to vote, such as in the following list of suffragist speeches:

- Statement of Isabella Beecher Hooker, 1878⁶
- Statement of Elizabeth Cady Stanton, 1878⁷
- Statement of Susan B. Anthony, 1888⁸
- Statement of Elizabeth Cady Stanton, 1888⁹
- Statement of Lucy Stone, 1892¹⁰
- Statement of Isabella Beecher Hooker, 1892¹¹

Women argued that they were citizens of the United States and deserved the same rights and privileges as men. Suffragist speeches emphasized the need for women to have a voice in decisions that affected their lives and the importance of women's opinions in politics and governance. The suffragist speeches presented to Congress advocated for the Woman Suffrage Movement in an effort to persuade lawmakers to support women's suffrage and equal rights.¹² The speeches presented to Congress contributed to the eventual passage of the 19th Amendment, which granted women the right to vote in 1920. Although it took several decades for women's suffrage to be

achieved, the speeches presented to Congress helped to lay the groundwork for this historic achievement.

Notable Female Figures of the Woman's Suffrage Movement

Isabella Beecher Hooker's (1822-1907) involvement in the Woman Suffrage Movement began in the 1860s when she joined the NWSA.¹³ She was a vocal and active member of the organization, advocating for women's political rights and equality. She was particularly interested in the intersection of religion and suffrage and believed that the Bible supported women's rights. In her address to the Committee on the Judiciary in 1892, she reminds the lawmakers of the "old Jewish words [they] read in the Decalogue" regarding honoring one's parents.¹⁴ She asserts that "if we want to help the Republic, and if we want to perpetuate the institutions our fathers brought across the water, we have got to honor the mothers equally with the fathers in the Government."¹⁵ She used her knowledge of theology to argue that women were equal to men in the eyes of God and therefore deserved the same rights and privileges as men. In 1869, she was elected president of the Connecticut Woman Suffrage Association (CWSA), where she worked to promote suffrage and women's rights through various speeches.¹⁶

Victoria Claflin Woodhull (1838-1927) was an American suffragist, social reformer, and entrepreneur who was a prominent figure in the Woman Suffrage Movement of the 19th century.¹⁷ According to Kate Havelin's monograph, Victoria and her sister, Tennessee, opened their own brokerage firm on Wall Street in 1869, making them the first women to operate a brokerage firm in the United States. They quickly became successful and were able to use their wealth to support the Woman Suffrage Movement.¹⁸ Victoria's involvement in the Woman Suffrage Movement began in the 1860s. In a speech given before the Senate and House of Representatives of the United States Congress in 1870, she declared that "the continuance of the enforcement of said local election laws, denying and abridging the right of citizens to vote on account of sex, is a grievance to your Memorialist and to various other persons, citizens of the United States, being women."¹⁹ This memorial was the first speech delivered to Congress by a woman.²⁰ In 1872, Victoria made history when she became the first woman to run for President of the United States on the Equal Rights Party ticket. Her candidacy was controversial and attracted both support and criticism.²¹

Elizabeth Cady Stanton's (1815-1902) involvement in the Woman Suffrage Movement began in the 1840s when she attended the World Anti-Slavery Convention in London with her husband, Henry Stanton.²² There, she met other women



Figure 1. Photograph of Isabella Beecher Hooker. Source: C.M. Bell, photographer. Hooker, Mrs. Isabella Beecher, ca. 1916. Photograph. <https://www.loc.gov/item/2016710995/>.

who were also fighting for social justice, including Lucretia Mott, with whom she formed a lifelong friendship and partnership.²³ In 1869, she co-founded the National Woman Suffrage Association (NWSA) with Susan B. Anthony who was one of her closest friends.²⁴ Stanton was also instrumental in organizing the Seneca Falls Convention in 1848, which is regarded as the birthplace of the Woman Suffrage Movement.²⁵ In the late 1860s and early 1870s, Stanton worked to secure congressional hearings on women's suffrage, believing that this would help to draw attention to the cause and build support for the Movement.²⁶ In a powerful, yet brief, speech before the Senate Committee on Woman Suffrage in 1888, she states that

the fact that the pronoun "he" is used in various provisions of the Constitution does not decide that man alone is referred to, for in the whole criminal code the pronouns are "he," "his," "him." Surely if women can be made to pay all the penalties of violated law as "he," she might be permitted to enjoy all the privileges



Figure 2. Photograph of Elizabeth Cady Stanton (seated) and Susan B. Anthony (standing). Source: *Elizabeth Cady Stanton, seated, and Susan B. Anthony, standing, three-quarter length portrait*, [Between 1880 and 1902]. Photograph. <https://www.loc.gov/item/97500087/>.

of a citizen as “he.” If a woman can hang as “he,” she might vote as “he.”²⁷

She continued to be a vocal and active member of the Woman Suffrage Movement for the rest of her life.

Susan B. Anthony (1820-1906) believed that women deserved the right to vote because they were equal to men in intellect and ability. She worked tirelessly to advance the cause of women’s suffrage, giving speeches, and working alongside her friend, Elizabeth Cady Stanton, as one of the prominent leaders of the Movement.²⁸ Anthony’s activism led to her arrest in 1872 when she attempted to vote in the presidential election. She was found guilty of illegally voting and was fined.²⁹ *United States v. Susan B. Anthony* was a landmark case in the history of the Woman Suffrage Movement in the United States.³⁰ Despite her conviction, Anthony continued to advocate for women’s suffrage and to fight for equal rights for women. Before the

Senate Committee on Woman Suffrage in 1888, she delivered a speech demonstrating the suffragists’ resilience.³¹ To her audience, she states that the hearing

rounds out the first forty years since woman began to make a public demand for enfranchisement in this country, and therefore it is fitting that your honorable committee shall make this hearing mark this epoch by thus publishing the report of the proceedings. I wish you would ask leave to publish a hundred thousand copies, that we might have them sent to every school district of the United States. But if you can not [sic] bear to have the Government do so much for the women of this Republic and of this world, [I] ask for the largest number that the law will allow you to get.³²

Even though she would never see the passing and ratification of the 19th Amendment, she continued to be an inspiration to the suffragists until her death.

Women’s rights in the US Constitution

While the work of the suffragists was monumental in paving the way for women’s rights, it was only the beginning of what has become an ongoing fight.³³ The 19th Amendment to the United States Constitution, which granted women the right to vote, is the only women’s right explicitly mentioned in the Constitution. It has significantly impacted American society by increasing women’s political power. However, the fact that it is the only women’s right poses several negative consequences to women, such as limited constitutional protection and inconsistent laws across states. It has created a perception that women’s rights are not as important or fundamental as other rights that are more pervasively represented in the US Constitution.³⁴

Additionally, the lack of women’s rights in the Constitution has made it more difficult to address issues of gender inequality in areas such as employment, education, and reproductive rights. The absence of these rights in the Constitution has also made it easier for lawmakers to pass laws that discriminate against women without violating the Constitution, such as the overturning of *Roe v. Wade*.³⁵ The fact that the 19th Amendment is the only women’s right underscores the ongoing need for the fight for gender equality. While progress has been made in the decades since the passage of the 19th Amendment, there is still a long way to go to achieve full gender equality in all areas of society. There is a need for continued efforts to secure additional women’s rights and protections in the Constitution and the legal system. This includes efforts to pass the Equal Rights Amendment (ERA), a proposed constitutional amendment in

the United States, which would guarantee equal rights for all American citizens regardless of sex.³⁶ The ERA was originally introduced in the 68th Congress in 1923, reintroduced in subsequent Congresses, approved by Congress in 1972, and sent to the states for ratification with a deadline of 1979, which was later extended to 1982.³⁷ By 1982, the deadline passed and the amendment had been ratified by only thirty-five states instead of the required thirty-eight states. The ERA was reintroduced to Congress post-deadline in 1982 but no action was taken. The lack of action may be due, in part, to the controversy over the deadline. In a 2021 Congressional hearing, Representative Clyde of Georgia cited the late Justice Ginsberg as noting that “the only way the ERA can be added to the Constitution would be to introduce it anew.”³⁸ Yet, near the beginning of the Congressional hearing, Chairwoman Maloney states the following:

In 2017, Nevada voted to ratify, Illinois followed in 2018, and Virginia in 2020. Thirty-eight state legislatures have voted to ratify the ERA, meeting the constitutional requirement, but the ERA still does not appear in the Constitution, and this has to change. Federal law directs the archivist of the U.S. to certify and publish amendments that have met the requirements laid out in Article V of the Constitution. This is purely a ministerial duty, which should be done automatically. But under President Trump, the Department of Justice issued an opinion advising the archivist not to certify the ERA. Today I am releasing a letter from preeminent legal scholars stating that this Trump-era legal opinion is legally erroneous and should be withdrawn. These scholars also make clear that the time limit in the preamble to the ERA is not an obstacle to ratifying the amendment. This time limit was not included in the amendment itself, and there is no time limit on equality.³⁹

In addition to conflicting opinions and perspectives on the ERA, the unresolved confusion over the deadline contributes to the delay of the ERA being added as an amendment to the Constitution. Since 1982, the ERA has been reintroduced to Congress every single year.⁴⁰ The significance of this amendment lies in its ability to provide constitutional protection of gender equality, to advance the intersectionality of gender equality and other forms of discrimination, and to inspire legal and social change that addresses systemic discrimination. The history of the suffragists in the documentary sources of the United States validates the ongoing effort to fight gender inequality and women’s rights by changing our laws. The Equal Rights

Amendment and suffragists share a common goal of advancing women’s rights and promoting gender equality. The ERA can be seen as a continuation of the suffragists’ fight for women’s rights as well as a challenge against gender-based discrimination. It seeks to realize the vision and goals of the suffragists by advocating for equal treatment and legal protections for American citizens no matter their sex, gender, or race.

Incorporating Women’s History in Education

Primary sources documenting the ERA and Woman Suffrage Movement are important in teaching and learning about United States history and civics. Increased accessibility of historical information and primary sources about the ERA and the suffragists of the 19th and 20th centuries would help preserve the suffragists’ legacy and contributions to American society. By learning about the activists who fought for women’s right to vote, students and adults gain insight into the barriers and discrimination faced by women in the past and the beginnings of the ERA. Including the Woman Suffrage Movement and ERA in K-12 history and civics classes can promote a more inclusive and equitable education, foster an informed and engaged citizenry, and instill a sense of civic duty that encourages political engagement and prepares students to participate in the democratic process as informed and responsible citizens. Libraries could provide online guides based on the research sources discussed and provided in this article to illustrate women’s history, equality, civil rights, and elections. Moreover, it would help learners understand the ERA in the context of suffragist history and the significance of Congress’s continued failure to pass the original Equal Rights Amendment or to reintroduce the ERA for ratification.

Conclusion

The Woman Suffrage Movement and the ongoing fight for the Equal Rights Amendment (ERA) the enduring struggle for gender equality in the United States. The suffragists of the 19th and 20th centuries used their speeches and activism to challenge prevailing societal norms and to advance the cause of women’s rights. Their speeches, campaigns, and unwavering dedication laid the foundation for the eventual passage of the 19th Amendment, a significant milestone in the pursuit of political equality. However, the fight for gender equality continues, as evidenced by the need for the ERA to provide constitutional protection for gender equality. The Constitution’s limited representation of women’s rights and the ongoing struggle for gender equality highlight the need for continued efforts to secure additional rights and protections. The ERA seeks to

build upon the suffragists' legacy by advocating for equal treatment and legal protections for all citizens, regardless of their sex, gender, or race. Incorporating the history of the suffragists and the ERA into educational curricula and promoting access to primary sources ensures that future generations understand the ongoing struggle for gender equality and feel empowered to participate in shaping a more inclusive and equitable society in the United States.

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Notes

1. For a history of women's suffrage, see Kaleena M. Beck, "A History of Women's Fight for Equality," *Advocate* 63, no. 11/12 (November 2020): 12–15, <https://tinyurl.com/23z9x64w>; for a comprehensive account of women's history, see Nancy A. Hewitt and Anne M. Valk, *A Companion to American Women's History* (Hoboken, NJ: John Wiley & Sons, 2021), chapters 7–12 are particularly relevant to the woman suffrage movement; for a more diverse representation of the women who contributed to the Movement, see Susan Ware, *Why They Marched: Untold Stories of the Women Who Fought for the Right to Vote* (Cambridge, MA: The Belknap Press of Harvard University Press, 2019); for a wide range of essays on the Movement, see Dawn Durante and Nancy A. Hewitt, *100 Years of Women's Suffrage: A University of Illinois Press Anthology* (Urbana: University of Illinois Press, 2019).
2. *First Convention Ever Called to Discuss the Civil and Political Rights of Women, Seneca Falls, New York, July 19, 20, 1848*, Library of Congress, <https://tinyurl.com/2me8d89m>.
3. The NWSA was founded in 1869 and focused on advocating for women's right to vote through a constitutional amendment, which was generally seen as an aggressive approach. The AWSA was founded in 1869 and took a more moderate approach, working to secure women's voting through state legislation. For additional historical context regarding this union, see the primary source Rachel Foster, editor, *Negotiations between the American and National Woman Suffrage Associations in Regard to the Union* (n.p.: 1888), 2–3, this source details the negotiations between the two organizations.
4. For a detailed record of this account, see the primary source Susan B. Anthony et al., *History of Woman Suffrage* (1881–1922), particularly volume 4 as it contains relevant material to the split between the organizations and their eventual union into the NAWSA, <https://tinyurl.com/msk5ayms>; this source is a six-volume book series that documents the history of the Woman Suffrage Movement in the United States. It was edited by Elizabeth Cady Stanton, Susan B. Anthony, Matilda Joslyn Gage, and Ida Husted Harper.
5. *Joint Resolution Proposing an amendment to the Constitution extending the right of suffrage to women*, H.J. Res. 1, 66th Cong. (1919), <https://tinyurl.com/2p99ry8s>; see also Anthony, *History of Woman Suffrage*, especially volume 6 as it includes a detailed history of the passage and ratification of the constitutional amendment.
6. *Arguments on Behalf of a Sixteenth Amendment to the Constitution of the U.S. Prohibiting the Several States from Disfranchising U.S. Citizens on Account of Sex and Protest Against Woman Suffrage: Hearing Before the S. Comm. on Privileges and Elections*, 45th Cong. 42 (1878) (statement of Mrs. Beecher Hooker) <https://tinyurl.com/5xzkdrrt>.
7. *Arguments in Behalf of a Sixteenth Amendment to the Constitution of the U.S. Prohibiting the Several States from Disfranchising U.S. Citizens on Account of Sex and Protest Against Woman Suffrage: Hearing Before the S. Comm. on Privileges and Elections*, 45th Cong. 4-17 (1878) (statement of Mrs. Elizabeth Cady Stanton) <https://tinyurl.com/5xzkdrrt>.
8. *Hearing Before the Committee on Woman Suffrage: Hearing Before S. Comm. on Woman Suffrage*, 50th Cong. 18 (1888) (statement of Susan B. Anthony) <https://tinyurl.com/2fvph95j>.
9. *Hearing Before S. Comm. on Woman Suffrage*, 50th Cong. 3 (1888) (statement of Elizabeth Cady Stanton) <https://tinyurl.com/36msn6v6>.
10. *Hearing of the Woman Suffrage Association: Hearing Before the H. Comm. on the Judiciary*, 52nd Cong. 5 (1892) (statement of Lucy Stone) <https://tinyurl.com/3fhz27md>.
11. *Hearing of the Woman Suffrage Association: Hearing Before the H. Comm. on the Judiciary*, 52nd Cong. 8 (1892) (statement of Isabella Beecher Hooker) <https://tinyurl.com/yck26xn>.

12. *Supra* note 5.
13. For a comprehensive account of Isabella's life, religious upbringing, and contribution to the Movement, see Barbara A. White, *The Beecher Sisters* (New Haven: Yale University Press, 2003), 1–24, 127–53.
14. *Hearing of the Woman Suffrage Association: Hearing Before the H. Comm. on the Judiciary*, 52nd Cong. 8 (1892) (statement of Isabella Beecher Hooker), 5 <https://tinyurl.com/yck26xn>.
15. *Supra* note 8.
16. *Supra* note 7.
17. For further information and context on Victoria Claflin Woodhull, see Kate Havelin, *Victoria Woodhull: Fearless Feminist* (Minneapolis: Twenty-First Century Books, 2007); Ellen F. Fitzpatrick, *The Highest Glass Ceiling: Women's Quest for the American Presidency* (Cambridge, MA: Harvard University Press, 2016); and Joan Marie Johnson, *Funding Feminism: Monied Women, Philanthropy, and the Women's Movement, 1870-1967* (Chapel Hill: University of North Carolina Press, 2017).
18. Havelin, *Victoria Woodhull*, 26–35.
19. Victoria C. Woodhull, *The Human Body the Temple of God: or, The Philosophy of Sociology* (London: Hyde Park Gate, 1890), 91.
20. Victoria C. Woodhull, *Selected Writings of Victoria Woodhull: Suffrage, Free Love, and Eugenics*, ed. Cari M. Carpenter (Lincoln: University of Nebraska Press, 2010), 21.
21. Woodhull, *Selected Writings of Victoria Woodhull*, 36–41.
22. Elisabeth Griffith, *In Her Own Right: The Life of Elizabeth Cady Stanton* (New York: Oxford University Press, 1984), 3–13.
23. Griffith, *In Her Own Right*, 30–46.
24. Griffith, *In Her Own Right*, 72–74.
25. Griffith, *In Her Own Right*, 51–56.
26. Griffith, *In Her Own Right*, 118–44.
27. *Hearing Before S. Comm. on Woman Suffrage*, 50th Cong. 3 (1888) (statement of Elizabeth Cady Stanton), 5 <https://tinyurl.com/36msn6v6>.
28. Mary Margaret Huth and Christine L. Ridarsky, *Susan B. Anthony and the Struggle for Equal Rights. Gender and Race in American History* (Rochester, NY: University of Rochester Press, 2012).
29. *United States v. Anthony*, 24 F. Cas. 829 (Circuit Court of New York 1873), <https://tinyurl.com/yjwdbbh3>.
30. *Supra* note 23.
31. *Hearing Before the Committee on Woman Suffrage: Hearing Before S. Comm. on Woman Suffrage*, 50th Cong. 18 (1888) (statement of Susan B. Anthony), <https://tinyurl.com/2fvph95j>.
32. *Supra* note 25.
33. For a source that provides context on the fight for ongoing fight for women's rights, see Paula A. Monopoli, *Constitutional Orphan: Gender Equality and the Nineteenth Amendment* (New York: Oxford University Press, 2020).
34. Cong. Rsch. Serv., *Constitution of the United States of America: Analysis and Interpretation*, S. Doc. No. 112-9 (2012 & Supp. 2017), <https://tinyurl.com/mupk97zc>, especially pages 1934–51, which gives a comprehensive history of abortion laws, how complicated they are, how many restrictions are added to a woman's right to abort a pregnancy, and how a woman's right to decide her own reproductive health is ongoing. See also, Leslie W. Gladstone, Cong. Rsch. Serv., *Selected Women's Issues Legislation Enacted Between 1832-1988* 89-514 GOV (1989) <https://tinyurl.com/z7tsj8rr>; Karen J. Lewis, Cong. Rsch. Serv., *Legal Analysis of the Potential Impact of the Proposed Equal Rights Amendment (ERA) on the Right to an Abortion or to the Funding of an Abortion* 20540 (1983) <https://tinyurl.com/mpf95mcx>.
35. *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228, (2022, Decided), <https://tinyurl.com/3bh5maud>.
36. 79 H.J. Res. 49 (1945) <https://tinyurl.com/2j5pu6as>.
37. Leslie W. Gladstone, Cong. Rsch. Serv., *Equal Rights Amendment: A Chronology*, RS20405 (1999) <https://tinyurl.com/mrybvnc6>.
38. "The Equal Rights Amendment: Achieving Constitutional Equality for All." June 8, 2023, 40 <https://tinyurl.com/4a89cpsd>.
39. *Supra* note 32 at 2.
40. *Supra* note 31.

Evolution of English Language Learning in US Schools

Abbie Thacher and Apollo Battey

This article will track the difference in language, legislation, and provisions for English Language Learners (ELLs) in the United States from the years 1995 to 2020 with a focus on changes within different presidential administrations and how those administrations attempted to address the education and rights of these students. In the 1995 Annual Report for the US Department of Education Office for Civil Rights (OCR), during the Clinton Administration, several issues and solutions were discussed concerning the Civil Rights of what was referred to as Limited English Proficiency (LEP) students within US schools. Since then, several steps have been taken to achieve equity for these students, including major amendments to the Elementary and Secondary Education Act. In 2002, the Bush Administration signed into law the No Child Left Behind Act (NCLB), which intended to institute greater regulations for schools to ensure marginalized students, including English Language Learners (ELLs), are receiving adequate education and having issues taken into account in programming and tools. In 2015, the Obama Administration passed a new version of this bill titled the Every Student Succeeds Act (ESSA), which attempted to address out-of-date regulations from NCLB as well as institute new expectations for schools, additional support for teachers, and increase access to quality preschools. This article will look at the changes implemented by these Acts and their efficacy using governmental and non-governmental sources, including the OCR's 2020 Annual Report to compare current issues facing ELLs with those from 1995.

This article will provide introductory literature on the issues related to English language learning in US schools, which we will build on in our timeline and discussion.

Timeline of Administrations and Legislation Impacting ELLs from 1993-2021

January 1993

- Bill Clinton (Dem.) assumes office as US President.
- Richard Riley (Dem.) serves as Secretary of Education.

October 1994

- The *Improving America's Schools Act*, signed into law by President Bill Clinton, increased funding for bilingual and immigrant education.

April 1996

- US Department of Education Office for Civil Rights 1995 Annual Report to Congress is published, addressing the unfair treatment of students with limited English proficiency.

January 2001

- George W. Bush (Rep.) assumes office as US president.
- Rod Paige (Rep.) and Margaret Spellings (Rep.) serve as Secretary of Education.

January 2002

- The *No Child Left Behind Act* (NCLB) is signed into law by President George W. Bush which required state implementation of standardized testing with accommodations for ELLs varying from state to state.

January 2009

- Barack Obama (Dem.) assumes office as US president.
- Arne Duncan (Dem.) and John King Jr. (Dem.) serve as Secretary of Education.

December 2015

- The *Every Student Succeeds Act* (ESSA) is signed by President Obama to replace (NCLB) and leave less evaluation up to the state on whether or not the English Proficiency of ELL students is satisfactory.

Emergent Bilinguals: How Policy Has Misunderstood a National Resource

English language learners are making scant progress in overcoming the achievement gap, not only because of inadequate funding, but also because federal and state educational policy actually create stumbling blocks by prohibiting or discouraging the use of the educational practices that research has clearly shown to be most effective for their needs. This was the basic message that Ofelia Garcia, Professor of Bilingual Education at Teachers College, Columbia University delivered to a standing room only audience on January 30, 2008.

Garcia's talk was the first of a series of forums being convened by the Campaign for Educational Equity at Teachers College. Her remarks were drawn from an extensive study of the research in this area entitled "From English Language Learners to Emergent Bilinguals" which she co-authored with Professor Jo Anne Kleifgen, and Lorraine Falchi.

The paper calls for a new attitude and a new approach to the students that are now generally referred to as English language learners (ELLs) or students with limited English proficiency (LEPs). By using the new term "emergent bilinguals," Professor Garcia urges educators to view these students as a national resource, not as a deficit. She argues that past policies have misunderstood bilingualism and led to educational inequities, and she sees a high potential in nurturing the bilingual capacity of these students in an increasingly globalized world.

Persistent Gap Between Research and Practice

Evidence shows that using a student's home language in the classroom helps emergent bilinguals reach higher levels of achievement and that through linguistic interdependence a student's native language can be used to bolster English acquisition and promote cognitive learning. Consequently, a great body of research supports bilingual education over monolingual education for ELL students. Yet, the report points out that state and federal policy orientation is tilted dramatically against bilingual education.

According to the report, between 1992 and 2002 the number of ELLs in grades K-12 grew by 72 percent, while their enrollment in bilingual programs declined from 37 percent to 17 percent. Several states, including , adopted legislation that prohibits or severely restricts use of these programs. This move towards an "English-only" approach was reinforced by the Bush administration when the No Child Left Behind (NCLB) Act was signed into law in 2002. The authors conclude that these policies have furthered inequities in educating and assessing emergent bilinguals, and they advocate a change in policy from English only instruction to bilingual and dual language programs.

The report concludes that current assessments do not measure the learning of emergent bilinguals because they contain built-in content and speech biases, and because subject matter is often tangled with academic language - making it difficult to measure cognitive knowledge. Furthermore, the report highlights the devastating effects of high-stakes testing required by NCLB, and it supports "dynamic" performance based assessments instead. According to the authors, ELL assessments raise key equity concerns regarding two main issues: content proficiency and validity. The validity of assessments for emergent bilinguals is often questioned because these assessments run the risk of not measuring what they intend to measure.

Figure 1-3. Screenshots of, Columbia University article. "Emergent Bilinguals: How Policy Has Misunderstood a National Resource." *Teacher's College, Columbia University*. November 11, 2009. <https://www.tc.columbia.edu/articles/2008/february/emergent-bilinguals-how-policy-has-misunderstood-a-national/>.

January 2017

- Donald J. Trump (Rep.) assumes office as US president.
- Betsy DeVos (Rep.) serves as Secretary of Education.

January 2021

- US Department of Education Office for Civil Rights 2020 Annual Report to Congress is published, which details cases of schools failing to provide sufficient English instruction to English Language Learners.

The United States of America is a country that has long prided itself on the diversity of its population and its famed "melting pot" status. From the early days of settlement, when multiple European countries claimed different areas of the land, and even before then, when the many indigenous tribes of the continent still had sovereignty, a multilingual population has been part of the culture. Today, according to Translators Without Borders, "There are between 350 and 430 languages spoken in the United States of America, making it one of the most linguistically diverse countries in the world."¹

James Crawford, President of the Institute for Language and Education Policy and a discussant at the event, provided a historical perspective that illustrated the sharp turn in policy regarding language proficiency at the federal level over the past few decades. Alluding to policy language in the major media, he demonstrated how references to education policy dramatically shifted from an overwhelming use of "equal opportunity" concepts in the 1960s and 1970s to an output oriented focus on accountability and achievement gaps in the 1990s and 2000s. Building on his presentation, the second discussant and Co-Director for the Center for Immigrant Families, Donna Nevel, provided a community organizers' perspective on the challenges involved in mounting a bilingual or dual language program that truly meets the needs of emergent bilingual students.

Equity Forums

In its equity forum series this spring and continuing into the next school year, the Campaign for Educational Equity at Teachers College, will cover issues in the following 11 other areas that define its conception of comprehensive educational equity (link to record article):

- High quality early childhood education programs
- Rigorous and challenging curricula for all students
- High quality teaching
- Effective, sustained educational leadership
- Appropriate class sizes
- Mental and physical health care services
- Appropriate academic support for special education students
- Appropriate academic support for children in areas of highly concentrated poverty
- Effective after-school, community, and summer programs
- Effective parental involvement and family support
- Policies that foster racially and economically diverse schools

Despite this, standardization was necessary in the education system. Therefore, except for a handful of private institutions, schools in America are taught in the majority language of the US: English. Many students in America did not grow up speaking English, meaning that they must learn it in school while also taking the standard array of classes: all in English. This article will trace the evolution of the classification and expectations of these students as well as the legislation and research in relation to their education from 1995 to 2020.

The Department of Education's Office for Civil Rights (OCR) was rebuilding stronger than ever when it submitted its 1995 Annual Report to Congress. Fresh off the passing of the *Improving America's Schools Act* in 1994, an amendment to the *Elementary and Secondary Education Act* (ESEA), and now solidly within the Clinton administration, the OCR reprioritized their work to achieve the most possible impact. Also in 1994, a report was published by the Government Accountability Office (GAO) investigating the education of students learning English as a second language. This report looked at the intersectionality between ESL students and immigrant and low-income populations. It detailed the obstacles these students face in addition to the programs and practices being used to serve them and the best practices. This report offered considerable insight into the treatment of these students.

The OCR deals with many different types of discrimination within American schools, one of which being discrimination against students that the 1995 Report refers to as "Limited English Proficiency" or LEP, those students whose native language is not English and have not yet reached a level considered proficient or fluent in the English language. The OCR determined there were a significant number of cases of discrimination against LEP students in 1995. They noted that LEP students were not being fairly educated and evaluated within their schools. School districts failed to properly assess students in their own languages or implement programming for learning English, resulting in an overrepresentation of LEP students in Special Education programs. Teachers were not properly trained, dropout rates were well above average for LEP students, LEP students were being held back, and schools with higher percentages of LEP students were underfunded and underserved. In addition, schools were failing to find ways to communicate important information to parents who did not speak English or were themselves LEPs. Although this report only uses examples in which the OCR was able to work with the school districts in order to plan or implement changes to address the issues, all of the issues relating to LEP students were considered large and complex enough to be considered serious cases in need of investigation.

In 2001 President George W. Bush championed another amendment to the ESEA as one of his earliest moves as President. Just three days after taking office, Bush announced his plan to enforce bipartisan reform in education with the *No Child Left Behind Act* (NCLB). This amendment was designed to set rigorous standards of education for all schools to ensure a quality education for students regardless of demographics. This act made it so that funding for schools was highly based on their students' performance in accordance with the standards of individual states, especially the progress of underserved students, including those in English as a Second Language (ESL) programs. Many criticized this as punishing underperforming schools where instead, more resources should be provided to them to improve their education standards.² This was especially concerning as many schools with the highest percentage of underserved students were already underfunded areas. The NCLB Act was signed into law on January 8th, 2002.

Concerns of lack of funding for ESL programs were exacerbated in 2009 with the Supreme Court decision in *Horne v. Flores* "finding that structured English immersion is superior to other approaches and that money has little value in producing equal education conflict directly."³ Essentially ruling that schools were not required to fund their ESL programs and that they should be evaluated based purely on outcomes rather than the funding and resources given or the content of the programs. This not only disenfranchised many English Learners who could no longer claim discrimination based on underfunded or poorly run ESL programming, but it also reaffirmed the use of English-only ESL teaching as the best option. Despite using English-only ESL, facing significant criticism for being based on faulty research and alienating students from their native language.⁴

In 2015, the Obama administration implemented its own amendment to ESEA, titled the *Every Student Succeeds Act* (ESSA). ESSA was designed to fill in some of the holes in NCLB. One of this legislation's major parts includes allowing more education flexibility to states, schools, teachers, and parents. It is in the ESSA that the term "English Language Learner" or "English Learner" (ELL/EL) became part of the official governmental nomenclature for these students, largely replacing LEP. ELL was championed by activists as a replacement for LEP because of the belief that LEP terminology caused these students to be seen as deficient or underperforming as opposed to learning a new language.

Following the passage of the ESSA, the Department of Education created a page dedicated to ELLs which states:

Between the 2009–10 and 2014–15 school years, the percentage of EL students increased in more than half of the states, with increases of over 40 percent in five states. Under the *Every Student Succeeds Act*, states must annually assess the English language proficiency of ELs, provide reasonable accommodations for them on state assessments, and develop new accountability systems that include long-term goals and measures of progress for ELs.⁵

Much of the ESSA legislation surrounding ELs is the same or very similar to the NCLB, but it does offer some additional clarity and focus on issues that ELs face. As other laws before it did, the ESSA fails to account for bilingual ESL education. As mentioned above, the standard for ESL programs in the US is English-immersion based and includes no education in the students' native languages and no requirements for teachers to speak a language other than English. In recent years, however, we are seeing increased pushback against this method of instruction.

More schools have been implementing bilingual or “dual-language” programs, a method of teaching students half in English and half in their native language, for ELLs with astounding results.⁶ Not only has this method of instruction shown a significant increase in progress and test scores for ELLs, but it has also been shown to increase the performance of native English-speaking students in school and testing⁷ and may have a significant impact on cultural sensitivity and understanding within schools. This type of programming also allows ELLs to feel more confident in their identities and more connected to their families and native languages. This type of instruction is championed by many bilingual teachers, students, and activists but also by Indigenous Americans. Although most Indigenous Americans speak English as their first language, dual-language programming is seen as a way that they might preserve their Native languages and push back against the punishment and discrimination they have long faced for speaking those languages in schools. If taken further, bilingual or multilingual programming in schools, when not applied exclusively to English Learners, could also result in greater multilingualism in native English speakers.

This movement in education has been complimented by a push to change the language classifying this student population once again. The term currently being advocated for in many circles is “Emergent Bilingual” (EB) which can be seen in use in a recent Texas law.⁸ The argument for this terminology is twofold. For one, it focuses on the fact that these students are becoming bilingual which is an achievement. It

prioritizes the fact that these students already know one language and does not define them by the fact that they don't know English.⁹ For the other part, this terminology is cohesive with programs like the Seal of Biliteracy,¹⁰ which gives special recognition to students who have successfully learned a second language by the time they graduate high school, including students who have learned English in American schools. Using this terminology does not only reframe these students to take away negative connotations but actively celebrates their achievement in knowing multiple languages in a country where 78 percent of the population speaks exclusively English.¹¹ This could significantly affect American education in general, as 79 percent of Americans believe knowing a second language within the current job market is at least somewhat important.¹²

Interestingly, the 1994 Government Accountability Office report did talk about bilingual education for English Learners. Although they did not investigate whether bilingual or English immersion programs were superior, they noted that many people thought bilingual education was preferable even then. They also brought up that bilingual education programs can be difficult to implement for schools, especially schools that have many languages represented. At the time, answers to this problem were limited, but today it begs the question of whether programs outside of schools, especially online, might be used to help these students succeed. The report also notes that one of the major benefits of bilingual education is helping ELLs keep up with their peers in other aspects of education while they are in the process of learning English, a very important consideration for the success of these students.

The 2020 Annual Report for the OCR was published in the final year of the Trump administration when President Donald Trump was campaigning for reelection. This may be why the report focuses quite strongly on the performance of the OCR in relation to the Trump administration as well as Betsy DeVos' time as Secretary of Education. At the start of the document, Acting Assistant Secretary for Civil Rights Kimberley M. Richie states:

During the last four years, we achieved historic results and resolved more discrimination complaints than either of the previous two administrations did in any previous single term . . . In addition, under the Trump Administration, OCR's complaint resolutions outpaced the number of complaints received during each of the four years of the term. . . . During the eight years of the previous administration, OCR's resolutions unfortunately failed to keep pace . . . In

fact, under the previous administration, OCR's complaint backlog more than tripled.¹³

The entire document goes on to compare the OCR under the Trump administration directly to the OCR under the Obama administration. This is a strong departure from the 1995 annual report, which references the current administration only once in discussing how they have improved as an organization and never names President Clinton.

Despite this politically motivated commentary, the 2020 report also states that of the 10,185 complaints "resolved" in FY 2020, only 1,362 were "resolved with change."¹⁴ It is unclear how the remaining 8,859 cases were resolved or why no change was necessary. Like the 1995 report, the 2020 report focuses on cases where the OCR successfully implemented change. This report says that in 2020 the OCR resolved 35 cases of discrimination against ELLs,¹⁵ it is not clear how many were resolved with change. They offer two example cases they dealt with for discrimination against ELLs.¹⁶ The first deals with a school district that was not providing adequate ESL programming and lacked monitoring and interventions for Long-Term English Learners (LTELs), defined as students who have been in American schools for at least six years without significant improvement in the English language. The second deals with another school district failing to provide important documents and information to parents who are not fluent in English in a language they understand. This was particularly an issue with non-English speaking parents of disabled students. Both sample cases were resolved voluntarily by the school district.

Although many amendments have been made to the ESEA since 1994, all of which relate to ELLs, it is questionable how much this legislation has done for students. Issues are still seen in the funding, training, and general quality associated with ESL programming, including discrimination against ELL students. Research also shows that ELLs are still overrepresented in special education programs.¹⁷ There are still no strong federal regulations for ESL programs, with much left up to individual state laws and assessments. US schools continually fail to prioritize bilingual education for ELLs and all students. The lack of progress in this realm is largely due to the US government's failure to consistently prioritize and fund programs and resources for ELL students. Furthermore, due to rulings like *Horne v. Flores*, ELLs face limited options in claiming that schools discriminate against them. We do see some progress on the state level with Texas' use of the term "Emergent Bilingual" as well as the dual-language programs emerging in states such as California, but stronger regulations and resources are necessary to ensure the future of Emergent Bilinguals in this country.

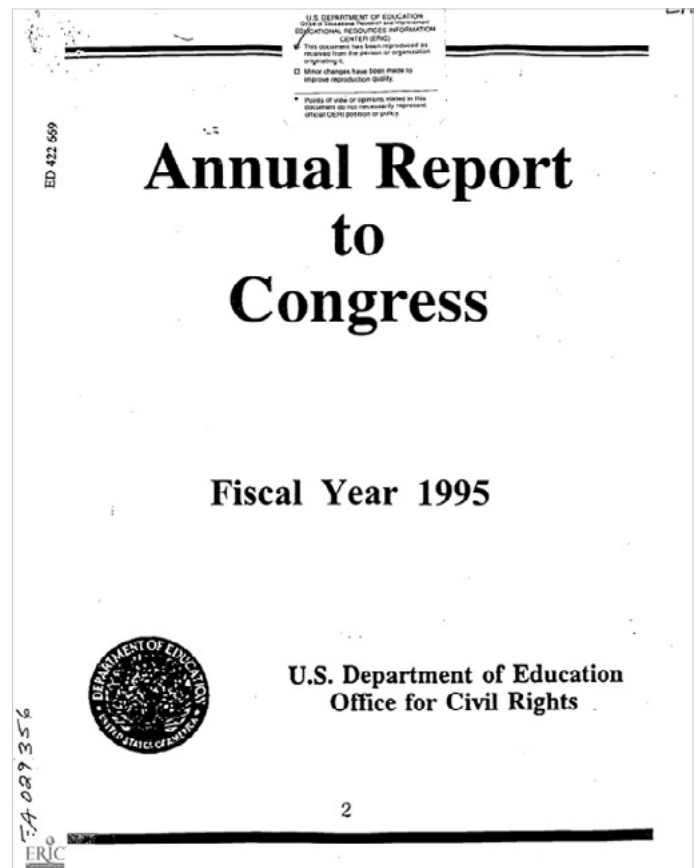


Figure 4. Screenshot of US Department of Education Office for Civil Rights Annual Report to Congress for Fiscal Year 1995. Source: United State, Office for Civil Rights, Department of Education. "U. S. Department of Education Office for Civil Rights 1995 Annual Report to Congress." US Department of Education. 1996. <https://www2.ed.gov/about/offices/list/ocr/congress.html>.

This report provides an overview of the work of the Department of Education's Office for Civil Rights for the 1995 fiscal year. Discusses the changes in the OCR over the past year and details the types of discrimination that the OCR responded to and how they responded to a sampling of cases, including those related to LEPs. This report is very useful in understanding the types of discrimination that ELLs were experiencing in schools in 1995 as well as the kinds of interventions that were implemented at that time. Offers considerable context for later legislation and documentation. Only notes cases where the OCRs intervention was successful and offers no outlets for follow-up with how those schools continued to perform in terms of English bilingual programs.

This report from the Government Accountability Office (GAO) investigates obstacles affecting LEPs as well as best practices for integrating, educating, and helping these students succeed in US schools. This report looks at a number of different methods of English education from bilingual teaching to the unconstitutional "submersion method" in which students

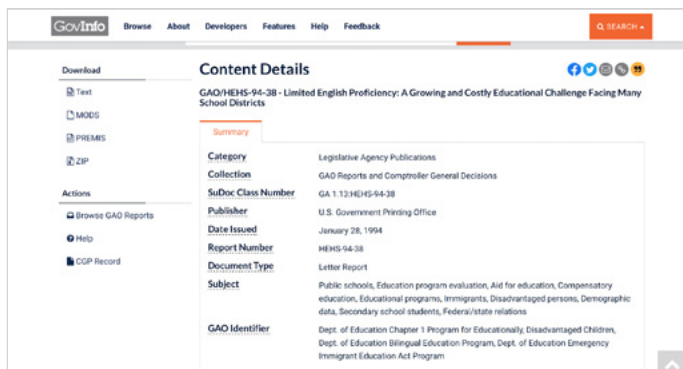


Figure 5. Screenshot of Government Accountability Office Report on Limited English Proficiency: A Growing and Costly Educational Challenge Facing Many School Districts. Source: Health, Education, and Human Services Division, Government Accountability Office. "GAO/HEHS-94-38—Limited English Proficiency: A Growing and Costly Educational Challenge Facing Many School Districts." US Government Printing Office. January 28, 1994. <https://www.govinfo.gov/app/details/GAOREPORTS-HEHS-94-38>.

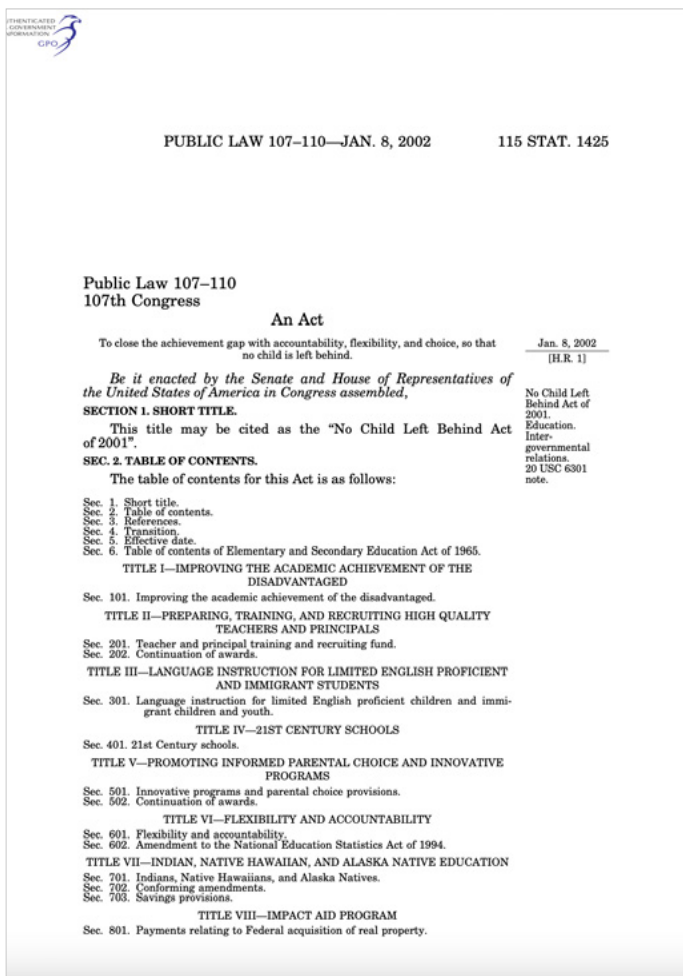


Figure 6. Screenshot of the No Child Left Behind Act of 2001. Source: "H.R.1—107th Congress (2001-2002): No Child Left Behind Act of 2001." Congress.gov, Library of Congress, 8 January 2002, <https://www.congress.gov/bill/107th-congress/house-bill/1/text>.

are simply placed in normal American classrooms. This report also tackles the cost of teaching these students and the funding

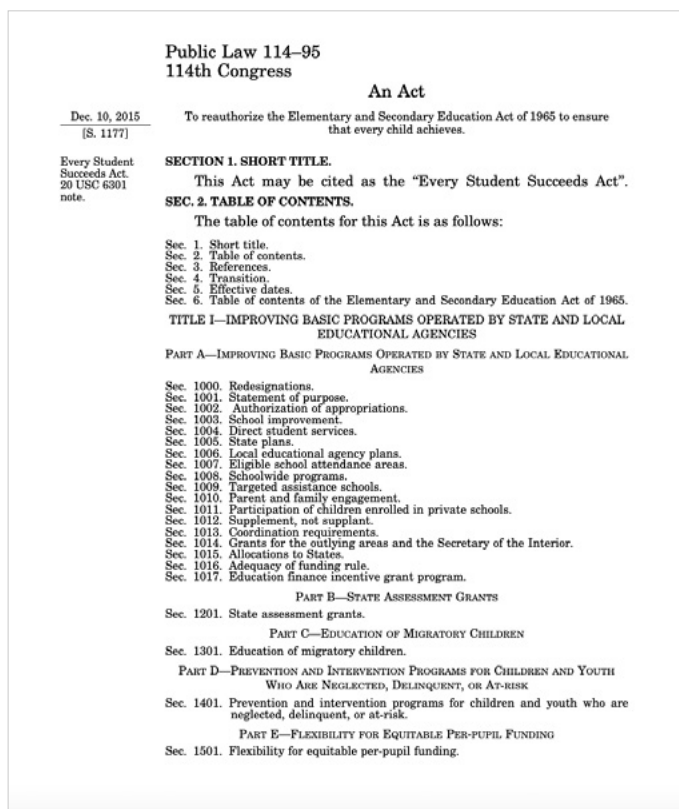


Figure 7. Screenshot of the Every Student Succeeds Act of 2015. Source: "S.1177—114th Congress (2015-2016): Every Student Succeeds Act." Congress.gov, Library of Congress. 10 December 2015. <https://www.congress.gov/bill/114th-congress/senate-bill/1177/text>.

needs of being able to serve them appropriately. This report offers significant context for the discussion on the needs of ELL students. It proves that discussions have been happening, including within the government, about these best practices and how these students are being taught in a way that is still highly relevant today as far back as 1994 despite the fact that legislation has not reflected this. It also raises very important concerns and facts that may be addressable today in a way they weren't in 1994 due to the development of new technologies.

This document is an Amendment to the *Elementary and Secondary Education Act* signed into law by George W. Bush on January 8th, 2002. This Act introduces increased regulations for the instruction of marginalized students with a focus on low-income, limited English proficiency, and racial minority students. It introduced basing funding for schools on their successful adherence to state educational standards and offered vouchers for other schools to families with students in schools where they were underserved. The NCLB Act is an important part of the history of these students and a very memorable part of the Bush administration to many people. This act was somewhat controversial because many view it as punishing schools that need more resources and consider that there may be an

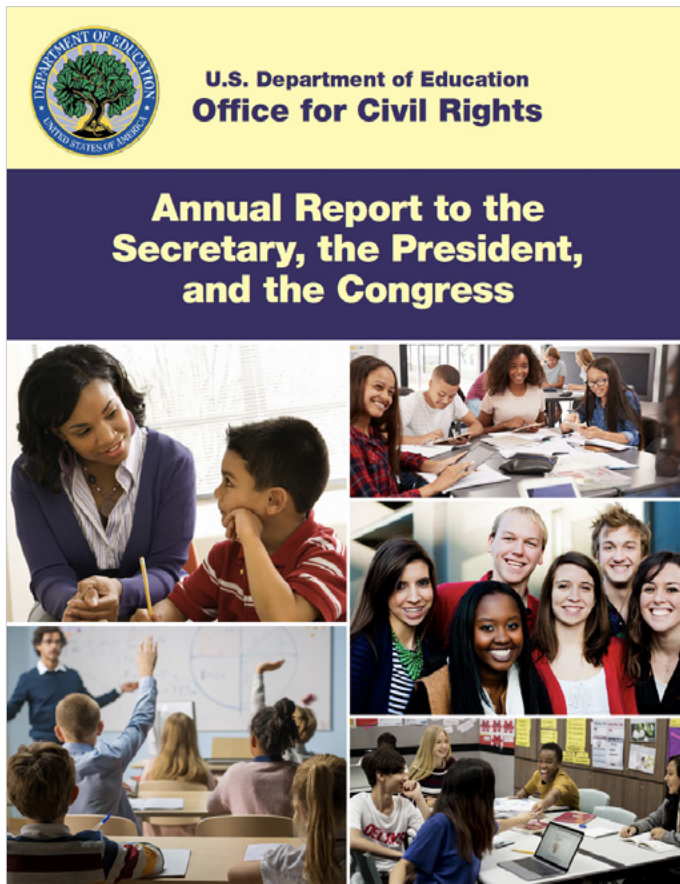


Figure 8. Screenshot of US Department of Education Office for Civil Rights Annual Report to Congress for Fiscal Year 2020. Source: United States, Office for Civil Rights, Department of Education. "Annual Report to the Secretary, the President, and the Congress." US Department of Education, 2021. <https://www2.ed.gov/about/reports/annual/ocr/report-to-president-and-secretary-of-education-2020.pdf>.

ulterior motive to provide private school vouchers. This Act is of highly questionable benefit, with many claiming it has done more harm than good but is undoubtedly central to modern considerations of this issue.

This Act of Congress is a 2015 amendment to the *Elementary and Secondary Education Act* signed into law by President Barack Obama. This Act is designed to improve upon the last amendment to the ESEA, *No Child Left Behind*. It changes the prescriptive regulations of NCLB to give schools more flexibility and create more realistic and helpful standards. It additionally offers more tools to teachers in addition to students. It also introduces regulations for preschool education. The ESSA did not implement many changes specifically in relation to ELLs over NCLB; however, it did create more flexibility for schools by getting rid of some of the outdated regulations implemented in NCLB and offered significant resources for low-income students and provided additional funding which significantly impacted ELL students, many of whom come from low-income backgrounds. Demonstrates the continual consideration of

presidential administrations to make changes to and hopefully improve the state of the US education system.

This report provides an overview of the actions of the OCR for the 2020 fiscal year, this document details examples of the types of discrimination cases that the OCR responded to in 2020, how they responded, and the outcomes. This report particularly focuses on exploring how they addressed those issues in an education system dealing with the ramifications of Covid-19. Additionally describes how the OCR developed not only between the 2019 and 2020 reports but in general during the Trump Administration. The 2020 report strongly focuses on the Trump Administration, which adds valuable context to tracking these issues by presidential term. Like the 1995 report, there is still a focus on positive outcomes, additionally, this report has fewer examples of discrimination against ELLs than the 1995 report. Offers valuable context to how Covid-19 changed the playing field when it comes to tackling discrimination.

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The Bureau of Home Economics

How Women Harnessed the Power of Science and Nutrition to Help Fight WWII and Improve Life on the Home Front

Erika Whinihan

Home economics, as a field of scientific research and practice that aims to improve quality of life, does not get the attention in the twenty-first century that it should. When thinking of this subject, one might picture middle school students learning how to sew or attempting to cook an ill-fated meal, but in the late nineteenth century and through most of the twentieth century, home economics was a thriving field that provided an area for women to contribute to their communities, families, and to their country during war times. The Bureau of Home Economics and the women who ran this organization could disseminate information that directly contributed to improving lives on the home front and aiding in the War effort between 1939 and 1945.

History and Background of Home Economics and the Bureau

The Bureau of Home Economics was formed during President Warren Harding's administration on July 1, 1923, as part of the reorganization of the U.S. Department of Agriculture. "Secretary Wallace (Henry C. Wallace, Secretary of Agriculture) recommended to Congress that the scientific research in home economics formerly conducted in the Office of Home Economics of the States Relations Service be organized into a separate bureau."¹ The request to establish this bureau occurred because it was recognized that the science of home economics and its contributions to the nation's lives was important, and the Department of Agriculture was responsible for developing this field of study.

Educating women in the field of home economics became more popular and received government backing after the passage of the Smith-Lever Act of 1914. "The Smith-Lever Act established a national Cooperative Extension Service that extended outreach programs through land-grant universities to educate rural Americans about advances in agricultural practices and technology."² The official text of the Act is found

under bill number H.R. 7951, 63rd Cong., Pub. Law No. 63-95, 38 Stat. 372, Chap. 79 (1914). Although it was several more years before the Bureau of Home Economics was created, this Act helped pave the way for the education of Americans in this field of study and for home economics to be identified as a field of science.

In 1915, the Office of Home Economics under the States Relation Service was created and identified areas of study around the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with a specific focus on methods for effective utilization of such products. The creation of the Bureau of Home Economics followed in 1923 to continue this work set forth in the 1915 appropriations act for the Office of Home Economics but with the power of a full-fledged Bureau. This new Bureau was tasked with research into the areas of food and nutrition, textile and clothing, and economics of the home. It produced many reports for the general public on various topics; many were published in *Farmers' Bulletins*.³

On February 23, 1942, the Bureau of Home Economics was assigned to the Agricultural Research Administration of the Department of Agriculture by Executive Order 9069, issued by Franklin D. Roosevelt.⁴ In 1943, the Bureau was subsequently redesignated the Bureau of Human Nutrition and Home Economics. This change reflected its more intense focus on nutrition because of the work done as part of the War effort. The Bureau's work continued through the 1950s but was reorganized and curtailed in 1960 and officially ceased to exist in 1962. Some of its work continued in Nutrition and Consumer-Use Research at USDA's Agricultural Research Service.⁵

Nutrition, Sewing, Science, and WWII

The Bureau of Home Economics played an important role in the lives of Americans, particularly women, during much of the twentieth century and specifically during the Second World



Figure 1. Library of Congress, PPOC, Bureau of Home Economics, *Join the ranks—Fight Food Waste in the Home*, between 1940–1946, 1 negative: 4x5 inches, <https://www.loc.gov/pictures/item/2017697237/>.

War. The Bureau not only studied the best ways to clean, sew, and purchase food and clothing, but it also provided information on how to best utilize resources in the home. Simply put, the purpose of the Bureau of Home Economics was to engage in “research detailing the scientific basis for the mechanics of living: not what to do in the home, but why; not recipes, but principles.”⁶ Although the Bureau certainly provided plentiful recipes and how to work efficiently at home, the scientific research behind these actions was most important. Ensuring the resources of the home were being used efficiently and that nutrition and science were merged into recommendations and practices that could be replicated easily was important.

During WWII, the Bureau had the vital task of helping American families make their finances, food, supplies, and other consumer goods last longer. The Bureau conducted studies and economic research to inform education materials that helped people make necessary budget adjustments and food choices that were nutritious, low cost, and specific to the part of the country families lived in (for example, providing diet plans for the southwest part of the country where conditions for growing food were more difficult). Conducting this research and operating the Bureau required funding through appropriation bills.

During the War, on January 22, 1942, Chief of the Bureau Louise Stanley, appeared before the House Subcommittee of the Agriculture Department to describe the important work of the Bureau and request additional funding for 1943. In 1942, the Bureau was allocated \$356,530 and requested an additional \$12,360 the following year.⁷

At this hearing, Stanley provided detailed justifications for the work of the Bureau and discussed primarily the research and fields of study the Bureau engaged in as justification for the budget request. She spoke about the importance of understanding the vitamin content in meat, eggs, dried vegetables, and fruits and providing recipes for the Surplus Marketing Administration for school lunches and low-income families. Turning to textiles and clothing, the Bureau was prepared when the silk shortages came with nearly 300 cotton stocking designs. Stanley spoke to their popularity when questioned whether women have been buying them since Pearl Harbor.⁸

In addition, Stanley discussed with the equipment division of the Bureau and how its data provided the basis for decisions as to what substitutes could be used for various household equipment which was in short supply during the War. Recipes and baking temperatures had to be altered to adapt to new materials that housewives had not been using before. Stanley indicated that “household equipment has had to be revamped to eliminate strategic metals which cannot be had now for non-defense uses.”⁹

Most impressive were the many agencies the Bureau provided services to during this time. Some highlights include *Treating and testing samples of fabrics for mildew-proofing properties* and *Value and consumption of bananas* provided for the War Department and Office for Emergency Management; *Requests for knitting instructions* for the American Red Cross; *Nutritive value of Army ration C* for the National Research Council; *Testing the home mill for grinding wheat in the farm home* for the Rural Electrification Administration; and *Planning and making low-cost coat for child* for the Farm Security Administration.¹⁰ The Bureau of Home Economics provided invaluable information to the United States government and the American people during WWII, improving their lives by helping their dollars, food, and textiles go the distance. Some of this information came in the form of WWII posters, including figure 1 from the Bureau.

Finally, the legacy of the Bureau continues to this day through what was a collaboration between the Food and Nutrition Board, the Committee on Food Habits, the Bureau of Home Economics, the Children’s Bureau, and the University of Chicago Home Economics Dean to create a national food policy. “After Congress authorized a military draft in the fall of

1940, experts' worst fears about the American diet proved true: one-third of the men called up for service failed their physicals due to nutrition-related factors."¹¹ Home economists together revived the World War I slogan "Food Will Win The War" and began creating a national food policy.¹² This collaborative body worked together to determine what Americans should eat following President Roosevelt's declaration that "food and nutrition would be at least as important as metals and munitions."¹³ This work led to a revision of Recommended Daily Allowances (RDAs) for the country and also emphasized the importance of nutritious school lunches, because "after all these meals grew future soldiers."¹⁴

The Founders of Home Economics & Women of the Bureau

Many notable women were a part of the Bureau of Home Economics during its reign between 1923 and 1962 and greatly influenced the way Americans lived. While they all cannot be mentioned here, it is important to remember how special and noteworthy their contributions to the field of home economics were at the time and how their work paved the way for future women scientists and home economists.

Two women that deserve special mention as great influencers of home economics long before the establishment of the Bureau are Ellen Swallow Richards and Margaret Murray (later becoming Margaret Murray Washington after becoming the third wife of Booker T. Washington). Both faced enormous challenges in access to education as women of the mid-nineteenth century. Murray, born in 1865, faced these obstacles without the advantages of educated parents and the challenges that came from being a person of color. Murray was born during the Civil War in 1865 in Macon, Mississippi. Her love of education and intelligence was immediately recognized by her family, who allowed her to stay home and study while her siblings worked in the fields. She fought to attend Fisk College, founded in 1866, and eventually became a teacher at Tuskegee Institute. Here, she met and married Booker T. Washington in 1892 and continued running domestic science, eventually taking her work outside the traditional classroom.¹⁵ This period marked a turning point in educating future home economists as "Vassar, MIT, Fisk, and Tuskegee were part of an unprecedented expansion of education after the Civil War, particularly for African American women, westerners, and scientists."¹⁶

Richards, born in 1842, attended Vassar, graduating in 1870 and then going on to MIT as the first woman to attend this prestigious institution, earning a "second bachelor's

degree from MIT in 1872 and, simultaneously, a master's from Vassar, and then became MIT's first female instructor. Against all odds, she had become a working woman in science."¹⁷ Throughout her career in science, Richards went on to use what she learned in the lab to experiment in and improve her own home. She studied water quality and environmental hazards and even designed a "vacuum cleaner" version that sucked away dust and took less physical energy than sweeping. She also formed a Sanitary Science Club and eventually was asked by the U.S. Department of Agriculture to help them study plant science.¹⁸

Louise Stanley was the first Chief of the Bureau of Home Economics. Born in 1883, and educated at Peabody College, Columbia University, and Yale University, she became a professor of home economics and department chair at the University of Missouri (1907-1923) before moving to Washington, D.C., becoming the Bureau's Chief, where she remained from 1923-1943. She was inducted into the National Agricultural Hall of Fame for contributing to farm housing and nutrition education.¹⁹

In 1924, Hildegard Kneeland was appointed head of the 'Economics of the Home' Branch of the Bureau, where she led several research projects. "The most prominent was an initiative called the 'USDA Time-Use Studies' which aimed to determine how much time rural and urban homemakers spent on various household tasks including cooking, washing, and childcare."²⁰ This same year, Ruth O'Brien was the first head of the Textiles and Clothing Division where her area of expertise was textile chemistry. She also worked on the "development of standard sizes for commercially-sold clothing and fabric selection for the home sewer."²¹ These women were tremendously influential in improving the Bureau's programs and education that helped an entire generation of women improve their lives and the lives of their families.

The Future of Home Economics

Can the field and study of home economics return in the twenty-first century? After the COVID-19 pandemic, improving the home's function would seem important to many people. Utilizing resources efficiently and effectively, understanding how to cook a basic, nutritious meal, mend a pair of pants, maintain appliances, and even how to grow vegetables in a small home garden are skills that are desired by many but are often not taught in mainstream education.

Danielle Dreilinger argues that people want home economics and suggests the following five solutions in order to revive this important field of study: Change the name back

to “home economics,” reverting back to its original name after it was altered to “family and consumer sciences” in 1993; Make home economics mandatory in middle and high schools; Diversify the profession; Embrace life skills as well as career preparation; and Advance the progressive, scientific, ecological view within home economics. “Home economics is, can, and should be an interdisciplinary, ecological field that explores the connections between our homes and the world with an eye to addressing the root causes of problems such as hunger, homelessness, isolation, and environmental devastation.”²² The field of home economics should be revived, taught in schools, and celebrated for its history and all it has to offer people of all ages and backgrounds.

Conclusion

Discovering so much information and resources on a topic I did not know anything about before beginning my research was fascinating. While much of my research was discovered through sources that would not be available to the public, the [National Agricultural Library Digital Exhibit](#) is an official website of the U.S. government and is available to those with access to the internet. A solid historical look at the Bureau of Home Economics is available here, along with summaries of their work, the women who ran it, and interesting images. More exhibits like this on other historical agencies and bureaus would be beneficial for the public.

The Bureau of Home Economics and the women who ran it improved the lives of Americans during WWII and changed how we lived during the twentieth century. The impact of the Bureau’s work can still be measured today. The women who ran the Bureau and who were influential in this field should be celebrated and honored for their commitment to science, research, and valuing the work of homemakers. Dreilinger makes an important argument stating, “We have an opportunity to bring back home ec. Let’s not waste it. Home economists hate waste.”²³ Home economics as a field of study and practice should be reinvigorated in schools and society and revered for the benefits it can provide us all now and in the future.

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