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Hon. Zoe Lofgren, Chairperson
Committee on House Administration
U.S. House of Representatives
1316 Longworth House Office Building
Washington, D.C. 20515

Dear Chairperson Lofgren:

I am writing to you today about making video from hearings of the U.S. House of Representatives more broadly available on the Internet. The Congress has made great progress on this issue since I began advocating for this in 1993, but there is still a long way to go. In particular, the video that is made available today is low resolution and the complete archives are not made public. This could be easily changed and would have great impact by making the People's House truly available to the American public.

Recommendations

1. The Library of Congress maintains a comprehensive archive of video from hearings. The full archive should be made available and the video should be available at full broadcast quality. As an interim measure, until the Library is able to provide this service, we could quickly put the videos on the Internet Archive, which already has 6,390 videos from hearings. Doing so would in turn make these hearings available to all media outlets, to university researchers, and to Internet sites such as YouTube.

2. A task force should be created to investigate making broadcast-quality from all hearings available as they occur on a national backbone, such as the Internet2 backbone which connects all major research facilities and universities. From there, the video would become available to all media outlets, to university researchers, and to Internet sites such as YouTube.

Discussion

Traditionally, the issue of making video and transcripts from congressional hearings has been the purview of each committee chairperson. Over the course of the late 1990s and 2000s, this resulted in sporadic availability. Some committees embraced the Internet and started making videos available as hearings occurred, albeit often as very low-resolution videos or using proprietary formats. Other committees had no presence at all, and relied on C-SPAN or the networks to bring in cameras when something noteworthy was occurring.

Under the leadership of Speaker Nancy Pelosi, great effort was made to make video from more committees available. Cameras were installed in all hearing rooms, and support was

provided to committees to assist them in making their content available on-line. In addition, the House Broadcast Studio sent video from all hearings out over the internal Capitol Hill cable channel and recorded broadcast-quality video on hard drives and Blu-ray DVDs.

Under the leadership of Speaker Nancy Pelosi and then Speaker John Boehner, centralized support for streaming video was provided, at first using a service called UStream (now a subsidiary of IBM) and more recently using YouTube. That video is low-quality and cannot be easily captured in real-time or downloaded. The consequence of this is that if, for example, a television station wished to capture video of suitable quality for use on the evening news, they are not able to do so without traveling to Washington, D.C. and bringing cameras into the hearing room. This should not be necessary with today's Internet.

In addition, the Library of Congress has taken over the role of creating a systematic archive of broadcast-quality video at the Packard Campus in Culpepper. That archive is not publicly available. Making public a systematic high-quality archive of all congressional videos would be of great use, not only to the media, but to scholars, policy analysts and others throughout the country. If you are a student of, policy (for example, agricultural policy) congressional hearings are one of the best places to see the world's leading experts explain the issues, and to hear them answer questions from the most astute questioners in the country, the members of the U.S. House of Representatives.

There are two things that can be done. It would be quite easy to immediately make available, in bulk, high-quality video from the archives. We would be very pleased to put those on the Internet Archive, where they would be available for any other organization to access, such as C-SPAN or other media or universities or anybody else who wishes to understand the workings of the People's House. At the same time, the Library of Congress could begin the process of providing direct access to the public in the same way that they do with their amazingly great photographic archive.

A longer-term goal is streaming broadcast-quality video on a national backbone. If this were done, services such as YouTube could easily capture all the data. Media outlets could selectively download a particular hearing. And, most importantly, the video would be available for the universities, corporations, and others throughout the country. I've proposed on several occasions ways to make this happen and would be pleased to work with staff to investigate a solution that could be implemented quickly.

It is my experience that when we make government data available in bulk, we are always surprised by the uses that people throughout the Internet begin to make, transforming that data into ways that are surprising, innovative, and amazingly more useful. I can think of no better set of data for these innovations to occur on than the U.S. House of Representatives.

Sincerely yours,

DocuSigned by:

Carl Malamud

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Carl Malamud, President
Public.Resource.Org

Appendix: Prior Efforts

- On February 29, 1994, I received the first-ever "new media" press credentials for the Internet Multicasting Service, my non-profit Internet radio station. We used those credentials to run dedicated audio lines into the basement of the Capitol and streamed the full proceedings of the House and Senate onto the Internet. and archived all the audio. *See* John Schwartz, "Superhighway Routed Through Capitol Hill," *Washington Post,* September 1994.

- The audio archive of proceedings of the House and Senate was synchronized with the text of the Congressional Record using advanced speaker recognition software developed by Deb K. Roy, then a student intern with the Internet Multicasting Service and now a senior professor at the MIT Media Lab. The search engine he created allowed the public to perform queries such as "all Democrats from California speaking about immigration" and then hear the audio and read the Congressional Record of the speech. *See* Deb K. Roy and Carl Malamud, "Integration of a Large Text and Audio Corpus Using Speaker Identification," AAAI Technical Report SS-97-03, 1997.

- On May 30, 1993, the Internet Multicasting Service, at the request of then-Congressman Edward Markey, announced that we would be assisting the Congress in holding the first-ever hearings on the Internet. Our aim was to stream audio and video on the Internet and to invite participation from the public to submit questions to the Chairman to be potentially asked of the witnesses. We organized a broad coalition of leading engineers and contributions of dedicated Internet lines and computers for a hearing to be held on July 26, 1993, but the hearing was cancelled after a vendor protested that this would be an illegal donation to the Congress.

- On June 12, 1995, the Internet Multicasting Service assisted the Joint Economic Committee in finally holding those hearings. *See* Senator Connie Mack, Letter to Carl Malamud, Internet Multicasting Service, June 16, 1995.

- On May 19, 2006, while Chief Technology Officer at the Center for American Progress, I proposed a plan that would allow live broadcast-quality video from 20 simultaneous hearings to be streamed on the Internet. The plan never became a reality, but it generated great interest, including an endorsement from the Public Printer of the United States. *See also* Carl Malamud, "All the Government's Information," Google TechTalks, May 24, 2006.

- On February 8, 2007, Speaker Nancy Pelosi testified before the Committee on Science and Technology on the subject of global warming. Speaker Pelosi received a takedown notice from C-SPAN for using a clip of the hearing on her blog. *See* Noam Cohen, "Which Videos Are Protected? Lawmakers Get a Lesson," *New York Times,* February 26, 2007. I was outraged by this abuse of the Works of Government clause of the U.S. Copyright Act (17 USC § 105) and sent an open letter to C-SPAN. C-SPAN then changed their policies to clarify that any broadcast of Congressional hearings or other government proceedings would be freely available. *See* James Fallows, "Congressional Hearings Update: Welcome Back, C-Span," *Atlantic Monthly,* March 9, 2007.

- On March 13, 2007, Public Resource submitted a report to Speaker Nancy Pelosi which stated that "by the end of the 110th Congress, the U.S. House of Representatives could achieve the goal of providing broadcast-quality video of all hearings and the floor for download on the Internet." On April 17, 2008, Speaker Pelosi graciously acknowledged our report but we were unable to convince staff at the time that the project was doable.

- On December 27, 2007, Public Resource announced a project with funding from Omidyar Network and the Kahle-Austin Foundation to enable the Internet Archive to scan the printed records of over 50 years of Congressional hearings. The Boston Public Library contributed the hearing records from 1936–1986. *See* John Markoff, "Documents of Library in Boston to Go on Web," *New York Times,* December 27, 2007.

- On January 5, 2011, Speaker John Boehner and Chairman Darryl Issa requested the assistance of Public Resource to make hearings of the Committee on Oversight and Government Reform more readily available. Working with Chairman Darryl Issa, we created a YouTube channel with high-quality videos including, for the first time, closed-captioning. On March 17, 2017, Chairman Issa acknowledged our efforts in the Congressional Record.

- Throughout 2011, we were able to obtain videos from all committees and uploaded those systematically to the Internet Archive as broadcast-quality video. That collection now has 6,390 videos of hearings from 1987 to 2011, of which 1,040 were purchased from C-SPAN and the rest obtained from the House Broadcast Studio. Public Resource spent $35,676.44 purchasing DVDs from C-SPAN to create this service, and then spent considerable funds and efforts to process the House Broadcast Studio videos.

- On June 28, 2011, Public Resource submitted a comprehensive proposal to the Committee on House Administration that would make broadcast-quality video available on the national research network, Internet2. This proposal was submitted in cooperation with C-SPAN and Internet2 and would have been provided at no cost to the Congress. Public Resource spent $41,910.21 putting together a rack of state-of-the-art MPEG encoders and our colleagues at C-SPAN identified and allocated the resources to provide a multi-gigabit fiber optic link from a port in the basement of the Capitol over to their facilities and out to the Internet2 backbone.

- We were in position to have this service up and running by the end of 2011. The Committee declined our offer, terminated our ability to get additional videos from the House Broadcast Studio, and asked the Library of Congress to provide a low-resolution streaming service with no public availability of archives. We were disappointed but continue to hold out hope that the Congress will achieve the goal that Speaker Boehner stated: "It's our hope that this project is only the beginning of an effort to bring all congressional video online."