

April 26, 2008

Senator Barbara Boxer
Chair
Senate Committee on Environment & Public Works
112 Hart Senate Office Building
Washington, DC 20510

Representative Henry A. Waxman
Chair
House Committee on Government Reform
2204 Rayburn House Office Building
Washington, DC 20515

Representative John D. Dingell
Chair
House Energy and Commerce Committee
2328 Rayburn House Office Building
Washington, DC 20515

Representative Bart Gordon
Chair
House Committee on Science
U.S. House of Representatives
2304 Rayburn House Office Building
Washington, DC 20515

Representative James L. Oberstar
Chair
House Committee on Transportation & Infrastructure
U.S. House of Representatives
2365 Rayburn House Office Building
Washington, DC 20515

Dear Senator and Representatives:

We, the undersigned law professors, write to express our profound disappointment with EPA's "National Library Network Report to Congress" of March 26, 2008. EPA's Report is woefully lacking in detail, unresponsive to many of the criticisms that were appropriately included in GAO's February, 2008 reports on the Agency's library mismanagement, and entirely devoid of a needed commitment to restore EPA's shuttered libraries to the levels of service provided to the public and EPA's staff prior to their closure.

We note with concern the Report's failure to define key terms, including the "core

reference materials” to be available in EPA libraries that will be reopened, the “standard service levels” that will be provided at Agency libraries, and the “library best practices” that will be implemented there.

We are troubled by the Report’s failure to mention any specific plans for digitizing EPA’s library collection, as well as its failure to explain why and how EPA’s libraries will vary in size, target audience, subject focus and depth of collection.

We view with alarm the absence of any EPA commitment to have all aspects of its library plans subject to review by qualified, non-governmental library professionals.

We also decry the Agency’s failure to explain its plan to allow some EPA libraries to be open to the public on an “appointment only” basis.

As we see it, priority must be given to meeting the needs of EPA’s library customers by restoring all components of EPA’s library system to the levels of library services that were available to them before EPA began its library reorganization in 2006.

We respectfully urge that your committees continue your oversight to assure that the Agency corrects the inadequacies of its recent Report to you and makes a firm commitment to restore—promptly and in full—its pre-October, 2006 level of library services.

Respectfully submitted,

Jonathan H. Adler
Professor of Law
Co-Director, Center for
Business Law and
Regulation
Case Western Reserve
University School of Law

University of Alabama
School of Law

Timothy Arcaro
Assistant Professor
Nova Southeastern
University Law Center

University of Oregon
and Co-Founder,
Environmental Law
Alliance Worldwide

Robert W. Adler
Associate Dean for
Academic Affairs and
James I. Farr Chair and
Professor of Law
University of Utah
S. J. Quinney College
of Law

Eric Biber
Acting Professor of Law
University of California,
Berkeley School of Law

Brion Blackwelder
Associate Professor
Nova Southeastern
University Law Center

Barry Boyer
Professor of Law
State University of New
York at Buffalo

Rebecca Bratspies
Associate Professor
CUNY School of Law

William L. Andreen
Edgar L. Clarkson
Professor of Law

John E. Bonine
Professor of Law

Maxine Burkett
Associate Professor
of Law

University of Colorado
School of Law

William W. Buzbee
Professor of Law and
Director, Environmental
and Natural Resources
Law Program
Emory Law School

Alejandro E. Camacho
Associate Professor
of Law
University of Notre
Dame Law School

Ann E. Carlson
Professor of Law and
Associate Dean
University of California
at Los Angeles
School of Law

David W. Case
Associate Professor
of Law
University of Mississippi
School of Law

David N. Cassuto
Associate Professor
of Law
Pace University
School of Law

Fred Cheever
Professor of Law
University of Denver
College of Law

Jamison E. Colburn
Professor of Law
Western New England
College of Law

Daniel H. Cole
R. Bruce Townsend
Professor of Law
Indiana University
School of Law
(Indianapolis)

Liz Ryan Cole
Professor and Director
Semester in Practice/
Environmental Semester
in Washington
Vermont Law School

Kim Diana Connolly
Associate Professor
University of South
Carolina School of Law

Eric A. De Groff
Professor of Law
Regent University
School of Law

Joseph Dellapenna
Professor of Law
Villanova University
School of Law

Debra L. Donahue
Professor of Law
University of Wyoming
College of Law

Holly A. Doremus
Professor of Law
University of California
at Davis and
Member Scholar
Center for Progressive
Reform

David M. Driesen
Angela S. Cooney
Professor
Syracuse University
College of Law

Myrl L. Duncan
Professor of Law
Washburn University

Gabriel Eckstein
George W. McCloskey
Professor of Water Law
and Director, Center for
Water Law and Policy
Texas Tech University
School of Law

David Favre
Professor of Law and
Editor-in-Chief,
Animal Legal and
Historical Web Center
Michigan State
University
College of Law

Richard J. Finkmoore
Professor of Law
California Western
School of Law

Victor B. Flatt
A.L. O'Quinn Chair in
Environmental Law
University of Houston
Law Center and
Member Scholar, Center
for Progressive Reform

Alyson Flournoy
UF Research
Foundation
Professor and Director,
Environmental and Land
Use Law Program
University of Florida
Levin College of Law
and
Board Member,
Center for Progressive
Reform

Cyril A. Fox
Professor Emeritus of
Law
University of Pittsburgh
School of Law

Sanford E. Gaines
Director, Utton
Transboundary
Resources Center
University of
New Mexico
School of Law

Robert L. Glicksman
Robert Wagstaff
Professor
of Law
University of Kansas
School of Law

Dale D. Goble
Margaret Wilson
Schimke
Distinguished Professor
of Law
University of Idaho
College of Law

Carmen G. Gonzalez
Associate Professor
Seattle University
School of Law

Andrew Robert Greene
Visiting Professor
of Law
Cumberland School
of Law
Samford University

Richard J. Grosso
Associate Professor
Nova Southeastern
University Law Center
and
Director, Environmental
and Land Use Clinic

Noah D. Hall
Assistant Professor of
Law
Wayne State University
Law School

Louise Halper
Law Alumni Fellow and
Professor of Law
Washington and Lee
University
School of Law

Jacqueline P. Hand
Professor of Law
University of Detroit
Mercy School of Law

Gwen T. Handelman
Professor Emeritus
Washington and Lee
University
Law School

Linda F. Harrison
Associate Dean
Nova Southeastern
University Law Center

Lisa Heinzerling
Professor of Law
Georgetown University
Law Center

Dennis D. Hirsch
Associate Dean and
Professor of Law
Capital University Law
School

David R. Hodas
Professor
Widener University
School of Law

Oliver Houck
Professor of Law
Tulane University
School of Law

David Hunter
Assistant Professor
of Law
American University
Washington College
of Law

Steve Johnson
Associate Dean
Mercer University
Law School

William S. Jordan III
C. Blake McDowell
Professor of Law
University of Akron
School of Law

Kirk W. Junker
Associate Professor of
Law and Director of
International Programs
Duquesne University
School of Law

Madeline June Kass
Assistant Professor
of Law
Thomas Jefferson
School of Law

Alice Kaswan
Professor of Law
University of
San Francisco
School of Law

Christine A. Klein
Associate Dean for
Faculty Development &
Professor of Law
University of Florida
Levin College of Law

Sarah A. Krakoff
Associate Professor
University of Colorado
Law School

Howard A. Latin
Professor of Law and
Justice Francis Scholar
Rutgers University
School of Law

Linda A. Mallone
Marshall-Wythe
Foundation
Professor of Law
William and Mary Law
School

Daniel B. Magraw, Jr.
President
Center for International
Environmental Law

Bradford Mank
James Helmer, Jr.
Professor of Law
University of Cincinnati
College of Law

Peter Manes
Professor of Law
New England
School of Law

Marla E. Mansfield
Professor of Law
University of Tulsa
College of Law

James R. May
Professor of Law
Widener University
Law School

Lesley K. McAllister
Associate Professor of
Law
University of San Diego
School of Law

Patricia Ross McCubbin
Associate Professor
Southern Illinois
University
School of Law

Patrick C. McGinley
Professor of Law
West Virginia University
College of Law

Thomas O. McGarity
W. James Kronzer Chair
in Trial and Appellate
Advocacy, University
of Texas
School of Law, and
Member Scholar, Center
for Progressive Reform

Joel A. Mintz
Professor of Law
Nova Southeastern
University Law Center
and Member Scholar,
Center for Progressive
Reform

Kenneth M. Murchison
James E. and Betty M.
Phillips Professor of Law
Paul M. Hebert
Law Center
Louisiana State
University

Janet Neuman
Professor of Law and
Associate Dean
of Faculty
Lewis and Clark
Law School

Ramón Ojeda-Mestre
International Court
of Environmental
Arbitration and
Conciliation

Hari M. Osofsky
Assistant Professor
University of Oregon
School of Law

Zygmunt J. B. Plater
Professor of Law
Boston College
Law School

Marc Poirier
Professor of Law and
Martha Traylor
Research Scholar
Seton Hall University
School of Law

Ann Powers
Associate Professor
of Law, Center for
Environmental Legal
Studies
Pace University
School of Law

Clifford Rechtschaffen
Professor of Law
Golden Gate University
School of Law and
Member Scholar, Center
for Progressive Reform

Heidi G. Robertson
Associate Professor
of Law
Cleveland State
University
Cleveland-Marshall
College of Law

Nicholas A. Robinson
Gilbert and Saran Kerlin
Distinguished Professor
of Environmental Law
Pace University
School of Law

Judith Royster
Professor of Law
University of Tulsa
College of Law

Irma S. Russell
NELPI Professor and
Director of the National
Energy-Environmental
Law and Policy Institute
University of Tulsa
College of Law

Erin Ryan
Assistant Professor
College of William and
Mary
Marshall-Wythe
School of Law

Rachael E. Salcido
Associate Professor
of Law, University of
the Pacific McGeorge
School of Law

James E. Salzman
Professor of Law and
Professor of
Environmental Policy
Duke Law School and
Nicholas School of
Environment and
Earth Sciences
Duke University

Maria Savasta-Kennedy
Clinical Professor and
Co-Director
Externship Program
University of North
Carolina School of Law

Christopher H.
Schroeder
Charles Murphy
Professor
of Law and
Public Policy Studies
and Director of the
Program in Public Law
Duke Law School and
Board Member, Center
for Progressive Reform

Greg Sergienko
Albany Law Center
Professor, Western
State University
College of Law

Stephen M. Sheppard
William Enfield
Professor of Law
University of Arkansas
School of Law

Joseph F. Smith
Professor of Law
Emeritus
Nova Southeastern
University Law Center

Mark S. Squillace
Professor of Law and
Director,
Natural Resources
Law Center
University of Colorado
at Boulder

Rena Steinzor
Jacob A. France
Research Professor
University of Maryland
School of Law and
Co-Founder and Board
Member, Center for
Progressive Reform

John-Mark Stensvaag
Frederick and Charlotte
Hubbell Professor of
Law
University of Iowa
College of Law

Kurt A. Strasser
Philip I. Blumberg
Professor
University of
Connecticut
School of Law

William Want
Professor of Law
Charleston School of
Law

Annecoos Wiersema
Assistant Professor
Ohio State University
Michael E. Moritz
College of Law

Durwood Zaelke
Co-Director
Program on Governance
for Sustainable
Development
Bren School of
Environmental Science
and Management
University of California
at Santa Barbara

Note: This letter reflects the personal opinions of the signatories listed above. It does not necessarily state the positions of the institutions of higher learning with which we are affiliated.