

An unseemly 60-day rule

The Internet was designed as an interactive technology.

BY Ari Schwartz

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During this past election season, we were reminded of the ludicrous rule preventing senators from updating their official Web sites within the 60 days before an election. The rule was written to stop candidates from using their sites for campaigning, but instead it highlights the U.S. Senate Rules and Administration Committee's limited view of the Internet and its interactive functions.

All candidates are forced to post a note in early September stating: "Pursuant to Senate policy, this home page may not be updated for the 60-day period immediately before the date of a primary or general election."

When I first heard about this four years ago, I wondered why the committee focused on the technology and not the purposes for which it is used.

Actually, the rules do that, too — use of the Senate's servers for "personal, promotional, commercial or partisan political/ campaign purposes is prohibited." Therefore, it seems that the Senate views the Web only for self-promotion rather than ongoing and interactive communication between elected officials and constituents.

The World Wide Web — as its creator, Tim Berners-Lee, often reminds us — was designed as a truly interactive technology. It enables individuals to read, comment and participate within a decentralized structure. This vision seems especially desirable in cultivating relationships between constituents and representatives.

It is true that most Senate Web sites have been used only for self-promotion purposes, with little interaction. Yet, we will never reach the desired goal with an attitude that perpetuates the 60-day rule. Imagine if the panel put forward a rule forbidding senators and staff members from using Senate phones within 60 days of an election for fear of campaigning.

Some may think that the 60-day rule is simply an oversight or an approach that came out of apprehensions about the Web in its early days. Unfortunately, it is part of a pattern.

For example, the Senate Web site has no searchable database of Senate votes. Instead, visitors are given a table of each vote listed as follows: "18-Jul, H.R.4810, Amendment Agreed to, Lott Amdt., No. 3881." This description may make sense to policy analysts in Washington, but to most Americans, it is gibberish. Placing the votes in a database would lead to a better understanding of how the Senate functions and better accountability for individual senators.

A more egregious case is the committee's complete inaction on the Congressional Openness Act introduced by Sens. John McCain (R-Ariz.), Patrick Leahy (D-Vt.) and others. The bill would have, among other things, made Congressional Research Service reports available to the public online.

The committee received the bill at the very beginning of the 106th Congress — yet it never even held a hearing on the subject, despite the bill's bipartisan support and calls from the public demanding action.

I hope that next year's Senate Rules and Administration Committee will take a new view of the Internet: one of interactivity rather than disdain.

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