



Office of the Superintendent of Documents

**SUPERINTENDENT OF DOCUMENTS
PUBLIC POLICY STATEMENT**

2019-1

EFFECTIVE: 04/10/2019

Supersedes

SOD-PPS-2016-1

Effective Date: 02/05/2008

SUBJECT: *Scope of Government Information Products Included in the Cataloging and Indexing Program and Disseminated Through the Federal Depository Library Program*

PURPOSE

To define the scope of Government information products distributed, disseminated, and accessible to the public through the Federal Depository Library Program and to define the scope of Government information products that are included in and identifiable through the Cataloging and Indexing Program.

BACKGROUND

One of the core missions of the Government Publishing Office (GPO) is to provide, in partnership with Federal depository libraries, for nationwide community facilities for the perpetual, free and ready access to print and electronic publications of the Federal government.

Not all Government publications are distributed to depository libraries. The scope for inclusion in the Federal Depository Library Program (FDLP) is narrower than that of the Cataloging and Indexing Program (C&I). Criteria for disseminating U.S. Government information products through the FDLP are defined in 44 U.S.C. § 1902. Regardless of format, all FDLP publications must conform to the definition of Government publication in 44 U.S.C. § 1901, that is, informational matter which is published as an individual document at Government expense, or as required by law.

Use of the phrase “information dissemination product” is more inclusive than “publication.” It is used by publishing agencies at the direction of the Office of Management and Budget (OMB) in Circular A-130. This same Circular directs agencies to “provide electronic information dissemination products to the Government Printing Office for distribution to depository libraries.” Applying this directive extends the § 1902 scope to include digital and other manifestations of publications, e.g., publications that are born digital, created on the fly from

databases, or Government data sets in general. This approach for publishing agencies is consistent with 44 U.S.C. § 4101(a)(2), which authorizes the Superintendent of Documents to provide online access to ... “other appropriate publications distributed by the Superintendent of Documents.”

Federal agencies are responsible for their information dissemination products and, therefore, determine the classification (security level) and access restrictions of them. The criteria for product content remain unchanged.

Authority and criteria for inclusion in the C&I program are found in 44 U.S.C. §§ 1710-1711.

The underlying criteria for acquiring publications for the FDLP and C&I have not changed nor have the principles of Government information changed in the transition from a tangible paper-based program to an electronic information dissemination program. Section 1902 must be viewed and applied so as to meet the demands of the rapidly changing information environment and Federal agency publishing directives.

POLICY

The scope of tangible materials for the FDLP includes all published Federal information products, regardless of format or medium, which are of public interest or educational value or produced using Federal funds. In certain circumstances this includes Government products protected under copyright. Exceptions are those products:

- For official use only or for strictly administrative or operational purposes that are not of public interest or have educational value.
- Classified for reasons of national security.
- The use of which is constrained by privacy considerations.
- That must be sold by the publishing agency in order to be self-sustaining (“cooperative publications”).
- Protected under copyright **and** the Government does not have rights to publish, or otherwise use the work for Federal purposes.

The scope of materials for the C&I program includes all published Federal information dissemination products, not confidential in character, including those that may be protected under copyright. Out of scope products include those classified for reasons of national security and those where the use is constrained by privacy considerations.

All Federal information dissemination products published on an agency’s (or an agency’s official partner’s) publicly accessible website and originating from or funded by the agency are intended for public use and are to be considered in scope for both the FDLP and C&I.

DEFINITIONS

Federal electronic information	Federal public information stored electronically (44 U.S.C. § 4104. Definition)
Government electronic information service	The system or method by which an agency or its authorized agent provides public access to Government information products via a telecommunications network (Report to the Congress)
Government information product	A discrete set of Government information, either conveyed in a tangible physical format including electronic media, or made publicly accessible via a Government electronic information service (Report to the Congress)
Government publication	Informational matter which is published as an individual document at Government expense, or as required by law (44 U.S.C. § 1901. Definition of Government publication)
Information dissemination product	Any book, paper, map, machine-readable material, audiovisual production, or other documentary material, regardless of physical form or characteristic, disseminated by an agency to the public (OMB Circular A-130)
Work of the United States Government	A work prepared by an officer or employee of the United States Government as part of that person's official duties. In accordance with 17 United States Code § 105, a work of the U.S. Government is not subject to copyright protections.

PRINCIPLES OF GOVERNMENT INFORMATION

- The public has the right of access to government information.
- Government has the obligation to disseminate and provide broad public access to its information.
- Government has an obligation to guarantee the authenticity and integrity of its information.
- Government has the obligation to preserve its information.
- Government information created or compiled by government employees or at government expense should remain in the public domain.

APPLICATION

The Superintendent of Documents is responsible for ensuring permanent public access to and cataloging of all Government publications and information dissemination products within scope of the FDLP and C&I. Bibliographic records for Government publications protected under copyright will include a note to that effect.

The Superintendent of Documents, through the Managing Director, LSCM must authorize any exceptions to this policy.

REFERENCES

U.S. Government Printing Office. [Concept of Operations \(CONOPS V2.0\) for the Future Digital System \(FDsys\)](#). Final, 5/16/2005.

_____. [Report to the Congress: Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program, as required by Legislative Branch Appropriations Act, 1996, Public Law 104-53](#). Washington: Government Printing Office, 1996.

_____. [A Strategic Vision for the 21st Century](#). 12/1/2004.

U.S. Congress. House of Representatives. Office of the Law Revision Counsel. "Public Printing and Documents," [Title 44, United States Code](#).

U.S. Office of Management and Budget. "Managing Information as a Strategic Resource," [OMB Circular A-130](#). 7/28/2016.

Approved:



Superintendent of Documents



Date