

FEEDBACK:

Regional Depository Libraries Online Selections, Draft Superintendent of Documents Public Policy



August 26, 2021

CLOSED REQUESTS FOR COMMENTS RECORD:

TOPIC: Draft Superintendent of Documents Public Policy Statement: Regional Depository Libraries Online Selections (SOD-PPS-202X-X)

PROPOSAL: [Regional Depository Libraries Online Selections](#) (Draft SOD-PPS-202X-X)

COMMENTS: Comment Period Closed

DEADLINE: May 16, 2021

FOR MORE INFORMATION: [Regional Online Selections Policy](#) webpage on FDLP.gov

NOTICE: [Request for Comments: Regional Depository Library Online Selections Draft Policy](#) (March 30, 2021)

NOTICE: [Request for Comments by May 16: Regional Online Selections Draft Policy](#) (May 12, 2021)

COMMENTS RECEIVED: Regional Depository Libraries Online Selections Draft Policy Public Comments (August 26, 2021)

FEEDBACK

The request for comments for the draft Superintendent of Documents policy, Regional Depository Libraries Online Selections, was announced March 30 2021. This immediately followed a [webinar](#) that introduced and explained the policy to the Federal Depository Library Program (FDLP). When the comment period closed on May 16, 2021, there were twenty-five submissions.

I am ... (check all that apply)

Commenters self-identified, I am ... (select all that apply)	
General public user of Federal Government Information	1
A depository library coordinator	10
A regional depository library coordinator	8
A government information librarian	12

Commenters self-identified, I am ... (select all that apply)			
A librarian, other than a government information librarian	4		
An administrator at a library with a designated depository library	6		
From a library association/organization	1		
From a library consortium	0		
From a Federal agency	0		
From a non-profit organization	1		
From the public sector	0		
From the private sector	0		
Other, please specify: Regional Government Information Librarians	1		
From this type of depository library:	Academic: 16	State: 3	Public: 2

I_(fill in the blank)_ the concept of the Regional Depository Online Selections draft policy. *The number in parentheses indicates the number of responses*

- LIKE (19)
- DO NOT LIKE (2)
- UNSURE (3)
- NEUTRAL (1)

Did you attend, or view the recording of, the FDLP Academy's March 30, 2021 webinar, "Draft Policy: Regional Depository Libraries Online Selections"? *The number in parentheses indicates the number of responses*

- YES (17)
- NO (8)

Redact my name from the publicly accessible comments (optional). *The number in parentheses indicates the number of responses*

YES (13)

Please provide any comments you have about the draft policy, or respond with N/A. *Comments are presented as received.*

Name	Redact Name	Please provide any comments you have about the draft policy, or respond with N/A
Gwen Sinclair		I wholeheartedly support the draft policy. It will save government resources because GPO will not need to produce and ship print or microfiche materials that are not needed or used by depositories. If the pilot is successful, it could open the door to end production of microfiche (yay)! In addition, it will save our personnel from processing and filing microfiche that does not get used and will save space. I am confident that enough geographically-dispersed libraries will opt to retain print copies of the publications in question.
REDACTED	YES	My library has already transitioned to mostly electronic documents due to space and patron preference. Much of our general collection is digital which proved useful and high use during the COVID shutdown so going this same route for government information provides consistency. We know we are facing years-long budget restriction impacts to staffing and space. Being able to select only electronic versions at our scale, will help alleviate these issues for current operations and future patron use.
Donald R. Smith		This had long been needed. As long as access to digital items remains available this should be the preferred format.
REDACTED	YES	N/A
Laura Saur		I like the focus on removing the need to process materials that supersede or become outdated quickly.
Patricia Andersen		This sounds like a very reasonable change to me.
REDACTED	YES	I know several librarians in my organization and others feel the paper/microfiche gov docs take up too much space and work. Being able to limit many titles/categories to online only will allow gov doc fans like myself to convince others to stay in the program
REDACTED	YES	N/A
REDACTED	YES	I'm in favor of this new policy going forward, and am particularly impressed by GPO and FDLP, ensuring that at least one of the 4 geographic areas in the country, has a Regional library retain a tangible copy of these items. Working with the Digital Preservation stewards will be helpful too, in keeping access available, going forward.

Name	Redact Name	Please provide any comments you have about the draft policy, or respond with N/A
REDACTED	YES	I do not think this would be a bad policy for Regionals. It would allow Regionals to have more flexibility in what they are selecting. They could select online items only instead of receiving the print that would take up limited space in their libraries. I do not think this new policy would negatively affect [our] collection.
Kathy Hale		This will allow many people to manage their collections as their institutions want to eat up their space. More and more patrons want materials electronically but we must preserve the tangible documents in case our infrastructure cannot be supported.
Doug Way		We believe this is a positive step. Not only will this help ensure access to federal government publications and information, it will help alleviate concerns about the amount of physical space regional depository collections occupy in libraries. We believe a safety net, as described, is a positive, but have concerns about the FDLP continuing to develop stand-alone, one-off workflows that create a burden on libraries, which may inhibit participation. We strongly encourage the FDLP work within the existing and emerging shared print programs and networks that are operating across the country. We also strongly encourage the FDLP to align its practices with the best practices being established within the shared print community. Finally, we strongly encourage the FDLP to actively and proactively seek out partnerships beyond individual libraries to increase the number of digital preservation stewards.
Lori Thornton		I encourage GPO to seek input from AALL. I also encourage GPO to have a meeting with the highest state court FDLP libraries in every state to solicit their input regarding this policy, particularly since most or many of the documents which will be effected by this policy are legal documents. I did contact the Supreme Court Law Library in New Mexico. They were unaware of this potential policy change. As a selective, they rely on the regional to maintain a paper copy of all legal documents and strongly feel that a paper copy must be retained in New Mexico. They feel that print insures in state access to an official copy of the documents for the legal system as well as for the public. Over the past year they have had problems with timely response and receipt of requested items from libraries located out of state. They raised many authentication (legal official copy) and permanent preservation questions.
REDACTED	YES	I'd be in favor of this proposal. A concern would be public online access to content. Not all US citizens have internet access. Would regional libraries be able to provide/continue to provide access to the public? May need to have ongoing conversations with public libraries (that are and are not in the FDLP program) to increase access or supplement access to US Government resources that are online only. Thanks.
Doris Johnson Felder		N/A
Mark Love		Would like to see regionals retain a tangible copy of all publications.

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REDACTED	YES	Much more streamlined and less cumbersome
Susanne Caro		<p>The main purpose of the FDLP is to provide access. As long as we can do this with a digital format we can meet our users needs. Digital access also reduces strain on the collections physical space. Space concerns are often a reason for administrators to question if they should drop FDLP status. Changing the requirement may help Regionals stay in the program. It is also worth noting that the number of companies producing microfilm (the other space saving option) is also an issue. By allowing regionals to collect only digital copies this will reduce reliance on a medium that is less popular and may be obsolete in the future. I think this is a good idea and takes into consideration the limited physical space, and that our users often prefer the digital version. One aspect to consider is the items where the physical version is considered official for legal reasons, but I think reminding libraries about this would be helpful.</p>
REDACTED	YES	N/A
REDACTED	YES	<p>In general, I really like the draft policy. I think that it is incredibly important that we look for new ways to provide flexibility to regional libraries (and all FDLP participants), while also acknowledging that the way people access information has changed. That said, I do have some concerns about relying on GPO collections. We've seen that individuals, companies, and governments can easily restrict or remove access to information when it becomes inconvenient. How can we ensure that access will be preserved into the future?</p>
REDACTED	YES	<p>I like the policy overall. I would like to see some additional details disclosed though before it is implemented. I'm unclear about the Print Selectors' retention of materials for a "specified period of time." What happens when that specified period ends? I understand the Print Selector can then discard the material, but what if no one else has it at that point?</p> <p>I also am sympathetic to concerns about an online version not being adequate for legal purposes, so this presents some concern on behalf of others in the FDLP community. (My library very rarely (if ever) needs to provide tangible copies of documents for legal purposes.)</p>
James Jacobs		<p>Thank you for requesting comments from the Federal Depository Library community for this proposed major policy change for regional library collection management.</p> <p>Suggested edit of draft policy:</p> <p>"Regional depository libraries may select "online" as a format IF AND ONLY IF regionals participate in a</p>

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		<p>"digital deposit" program and agree to receive, host, and provide access to digital FDLP publications."</p> <p>We at FGI have 2 concerns regarding this proposed policy change.</p> <p>The first concern has to do with the current practice described in the background section of the proposed SOD:</p> <p>"...they [regionals] no longer are receiving all new and revised tangible versions for all titles through the FDLP. Nor are regional depository libraries necessarily retaining a printed or microfacsimile version of what they receive."</p> <p>According to 44 U.S. Code §1912, Regional libraries are required to receive and "retain at least one copy of all Government publications either in printed or microfacsimile form. How many regional libraries are no longer following the requirements of the statute? What is GPO doing to assure that the letter and spirit of Title 44 are being followed by regional libraries? Rather than codifying this bad behavior, GPO should be doing more to help regionals fulfill the requirements of the statute and assure the long-term viability of the FDLP for all of the libraries and the wider public that rely on regionals. Any proposed SOD should seek to correct this unfortunate situation.</p> <p>Our second concern has to do with the proposed policy change itself.</p> <p>"Regional depository libraries may select "online" as a format, without having to make a corresponding tangible selection, for titles or series accessible through GPO's system of online access, a trusted digital repository, or from official digital preservation steward partners."</p> <p>One of the primary functions of regional libraries is to participate in the long-term preservation of US government publications. Indeed, retention (ie., preservation) is written into 44 U.S. Code §1912 itself. Selective libraries across the country rely heavily on this regional requirement to manage their FDLP collections.</p> <p>The existing law is clear: "In addition to fulfilling the requirements for depository libraries" regional depositories must "retain at least one copy of all Government publications either in printed or microfacsimile form (except those authorized to be discarded by the Superintendent of Documents)." The</p>

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		<p>only other mention in the law of the Superintendent being able to authorize discarding is for "superseded publications or those issued later in bound form which may be discarded as authorized by the Superintendent of Documents" (§ 1911).</p> <p>As the House Report on the bill stated, "Complete document collections would thus be accessible to all the regular depositories within the State, enabling them to be more selective in the items they would request" (S. Rep. 1587, 87th Cong., 2d Sess. 1962). The legislative history is clear that the establishment of Regional Depositories was designed both to allow selectives to discard publications after five years and to ensure that all publications would be available from a Regional.</p> <p>The law has not changed and this policy would contradict both the letter and intent of the law.</p> <p>Although GPO continues to promulgate policies that wrongly equate "online access" with "deposit," no change in the law allows this. We welcome online access and the efforts GPO is making to ensure preservation of digital government information, but, as GPO's draft policy says, the policy is rooted in the past, in choices made twenty-five years ago. It would be wiser and more sustainable to base new decisions in the current and developing capabilities of FDLP libraries rather than on the past. We suggest that there is a better path that conforms to the existing law, enhances preservation, and improves access and use of digital government information. Our suggested edit looks to a future of GPO and FDLP libraries collaborating together to preserve and give access to the National Collection.</p> <p>We suggest that, until Title 44 is changed, GPO should choose a simple and effective alternative that will accomplish more than GPO's proposal.</p> <p>We recommend a policy of allowing a regional depository to choose digital copies of government publications (instead of printed or microfacsimile) IF AND ONLY IF it agrees to actually receive, host, and provide access to those digital files. The SOD could do this by, for example, making regional selection and deposit format-agnostic or adding digital formats to the list of currently anachronistic "tangible" formats.</p> <p>Our suggestion begins by respecting the existing law, which mandates that multiple copies of government publications be held for both preservation and access by libraries outside the government. For "access" our suggestion will allow libraries to provide digital services for specific designated communities. For preservation, it ensures against intentional or unintentional loss of access, corruption of content, or outright</p>

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		<p>loss of information in the government's care.</p> <p>Our suggestion is also compatible with the work of the The Digital Deposit Working Group of the Depository Library Council (on which James is participating), which is currently working on recommendations for digital deposit based on FDLP community feedback which would directly contradict GPO's proposed regional policy. Our proposal looks to a future of digital deposit. Indeed, ten regional libraries are already receiving and preserving all content published in govinfo.gov through the LOCKSS-USDOCS program. Our proposal provides GPO the opportunity to create a policy that will lay a solid foundation for the digital FDLP, increase participation by FDLP libraries, and enhance services for the National Collection.</p> <p>It has long been established that the preservation of born-digital government information is a challenging endeavor. It also should be clear that a one-size-fits-all model of "access" without digital services is inadequate in the digital age. GPO cannot and should not go it alone. GPO needs multiple partners to participate in digital preservation and in the provision of digital services.</p> <p>GPO's proposed SOD, rather than strengthening the long-term viability of the digital FDLP, erodes its very foundation by literally erasing the critical, legislatively-required job for which regionals were created. Any library or individual can do what the draft SOD suggests (point to govinfo.gov), but FDLP libraries could do so much more. They can complement what GPO does by providing official, legislatively-mandated, redundant preservation, and by providing enhanced digital services targeted to specific OAIIS designated communities.</p>
REDACTED	YES	<p>I think we would all agree that access via a print selector is not a substitute for reliable digital access, and the new print selector category seems to be created as a deliberately lightweight program in comparison with the preservation steward program, which makes it probable that many publication series will soon have volunteers. So, with GPO's broad statement about eligibility for electronic substitution in this policy to include any TDR, I am concerned about relying on electronic substitution without a clear way to ensure that the government publications that are substituted, are reliable, accessible, and hosted by a trusted institution. Simply stating that a host must be a TDR is not sufficient; the QA/QC needed to ensure that substituted content has the appropriate metadata and is complete, may go beyond what a TDR has committed to do. govinfo meets these standards but other repositories that are TDRs or may be certified in the near future, may not. I would like to see a clear path forward for persistent electronic access to digitized and born-digital government documents that ensures that content is reliable and access is assured, and then</p>

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		use that as a springboard to allow regionals to have more flexibility in their tangible selections and tangible retention.
REDACTED	YES	<p>As a regional depository librarian at a library with space limitations, I welcome the increased flexibility this proposed policy provides. I do, however, have a major concern.</p> <p>In a parallel policy, "Superintendent of Documents Public Policy Statement 2016-3, Government Publications Authorized for Discard by Regional Depository Libraries," part 2 c) states that each print title that regionals are allowed to discard "[must exist] in tangible format with at least four tangible copies distributed geographically within the FDLP."</p> <p>I do not see language about each title eligible for online selection by regionals being held by a minimum of four geographically dispersed Print Selectors in the draft "Regional Depository Libraries Online Selections" policy document. I would like to see this language included in the "Regional Depository Libraries Online Selections" policy document.</p> <p>One of the many things I've learned in the last four years is that we can't assume everyone shares a common understanding of/commitment to a government norm. Having a norm written down doesn't guarantee the common commitment or understanding, but it can help a lot with these things.</p> <p>The genius of the depository program is that there isn't one single copy that the issuing government controls and can alter after the fact. Having four geographically dispersed locations where these print copies are kept retains that aspect of the depository program. The government and the Government Publications Office still sees certain titles as worthy of being printed, and distributed in print format. If it's important enough to print, it seems it would be important enough to keep four of those print copies throughout the country.</p>
feedback from Regionals/REGIL group		<p>Regional Depository Libraries Online Selections Policy: Comments from Regionals</p> <p>The biggest issue the Regionals have with the policy is its vagueness. We believe that it was made intentionally vague to allow for future revision and because different items will have different parameters for years kept and so on. However, Regionals feel the policy should be more specific.</p> <p>Issues that need to be clearly and officially addressed by GPO or stated within the policy are:</p>

Name	Redact Name	Please provide any comments you have about the draft policy, or respond with N/A
		<p>1. The question of whether the official online version of a document will be accepted as the legal copy for legal purposes needs to be officially addressed. The consensus seems to be that it depends. Has GPO spoken to the legal community (AALL) about this issue? There was a feeling among some Regionals that one paper copy of the Congressional Record daily and the Federal Register should be kept in each state if the online version is not accepted as the legal copy. We suggest that GPO encourage Regional depository libraries to consult selective depositories they serve and the court library in their state before making the decision to move to online only selection for these titles.</p> <p>2. In the webinar, Draft Policy: Regional Depository Libraries Online Selections, GPO addressed various nuances and shared information about the Regional Online Selection policy that are nowhere to be found in the actual policy. For example, there is no mention of the “Tangible Format Safety Net” or of “Print Selectors.”</p> <p>3. We understand that GPO has achieved “Trusted Digital Repository” status for the GovInfo digital collections. However, some in the Regional community continue to have concerns about the accessibility of these collections during federal government budget cutbacks, shutdowns, or policy changes due to political administration changes. Can you provide more details about the number of digital repository partnerships maintained and the strategy for providing access to official online versions when access to GPO hosted data is not available? Can they describe their data loss prevention/preparedness/recovery plan with us?</p> <p>4. There is concern that with this policy and the de-emphasis on tangible collections that GPO will discontinue the distribution of items in microfiche. This is a concern as several Regionals take items in microfiche due to space constraints and to retain a physical copy of the item. Is GPO committed to offering both print and microfiche options to Regionals that want to maintain tangible copies for their Regional collection?</p>