



SUPERINTENDENT OF DOCUMENTS DEPOSITORY GUIDANCE DOCUMENT 2020-1

EFFECTIVE: June 15, 2020

Federal Depository Libraries Relinquishing Their Designation

Strategic Disposition of Depository Materials for Keeping America Informed

PROCESS FOR THE DISPOSITION OF DEPOSITORY COLLECTIONS

In order to help build and preserve a comprehensive *National Collection of U.S. Government Public Information*, the Government Publishing Office (GPO) now will have a more active role in the disposition of materials from libraries relinquishing their depository designation. GPO will work with regional depository coordinators, for as long as practicable, in this process. As depository materials in libraries are property of the U.S. Government, authority for the final disposition decisions rests with GPO. As best it can, the disposition process will be expedient and efficient for depository libraries and GPO. All depository libraries will have an opportunity to obtain materials from these libraries through required national offers. Regular use of FDLP eXchange by depositories is strongly encouraged for needs and offers; its use will be required for libraries relinquishing their depository designation, at least for nationwide offers.

When the Superintendent of Documents receives a letter of notification from a library indicating they no longer wish to be part of the FDLP:

- GPO will immediately stop all shipments to the library.
- GPO staff will initiate consultation phone calls with the library staff and the regional depository coordinator.
- The Superintendent of Documents will acknowledge the library director's letter with a response that describes the relinquishing process.
- The library will remain in the FDLP and provide access to depository materials until the disposition of materials process is completed.
- GPO may visit the library to assess the situation and the collection. Regional Depository Coordinators are encouraged to do the same.

- Regionals and other selectives in the same service area will have the first opportunity to obtain materials from library.
- GPO will review the remaining collection with an eye for digitization, “at-risk” materials, rare publications, and fugitive documents.
- GPO will ensure other depository libraries will have an opportunity to obtain materials from these collections, particularly Preservation Stewards and Regional depository libraries.
- GPO will provide written authorization for the final disposal of materials, which may require libraries to return materials to GPO or transfer them to a depository library that wants them.
- The relinquishing library may ask to retain permanently materials received through the FDLP. Each request will be reviewed on an individual basis by the Superintendent of Documents, and the library will be advised.
- Once the disposition of materials is completed, the Superintendent of Documents will write a letter to the library director providing official notice that the library is no longer a member of the FDLP, and the library will be removed from Program systems, and the active Federal Depository Library Directory.
- The library’s official file will be retained by GPO.

COMPARING SOD-DGD-2020-1 & PREVIOUS DISPOSITION PROCESS	SOD-DGD-2020-1	PREVIOUS
Regionals able to obtain materials from relinquishing library	Y	Y
Selectives in the same regional area served able to obtain materials	Y	S
All depository libraries able to obtain materials from relinquishing library	Y	S
Relinquishing library may request to retain specified depository materials	Y	Y
GPO able to obtain materials from relinquishing library	Y	S
Library remains in the FDLP until disposition of materials is completed	Y	N
Authority for the final disposition decisions will rest with GPO	Y	N

Y= Yes / N = No / S = Sometimes

THE NEED TO CHANGE DISPOSITION OF DEPOSITORY MATERIALS

A complete collection of the Federal Government’s publications does not exist in any one location. The Superintendent of Documents’ Public Documents Library (1895-1971) was meant to be such a

collection. It supported the work of the Cataloging and Indexing (C&I) Program in the development of a comprehensive index of public documents and the Superintendent of Documents classification system, it supported the FDLP in identification of titles for dissemination to the libraries, and it provided a governmental library for study, research, and the promotion of knowledge (20 USC, Chapter 5, §91).

Building and preserving a comprehensive *National Collection of U.S. Government Public Information* is a GPO strategic priority. In order to accomplish this, GPO must be able to exercise a more active role in the workflow for the disposition of materials from Federal depository libraries when the library is relinquishing its depository designation. Including GPO in the process will allow:

- Identification of publications held in libraries that are fugitive from C&I and the FDLP.
- Identification of publications for digitization and ingest into **govinfo**.
- Identification of publications in need of preservation and conservation services.
- Identification and transfer of depository publications to depository libraries where they can meet users' needs.
- Identification and provision of support services to depository libraries.

A comprehensive National Collection benefits GPO in *Keeping America Informed*, and it benefits FDLP libraries and the public at large as well.

Both regional and selective depository libraries have long seen the disposition of materials process as burdensome. It is a laborious process that can often take years to complete. Their burden could be reduced with GPO accepting additional responsibilities. At present there are forty-six regional depository libraries, thirty-three of which have written guidance and instructions for selective depository libraries that prescribe the discard process.

DISPOSITION OF MATERIALS BACKGROUND

The statutory authority for the Federal Depository Library Program (FDLP) resides in "Depository Library Program"— 44 *United States Code* §§1901-1916. With the exception of the Government Publishing Office's (GPO) name change in December 2014, the last revision to Chapter 19 was the addition of §1916 in 1978 that provides by-law depository designation for libraries of accredited law schools.

While §1909 addresses libraries being removed from the FDLP for not fulfilling their statutory obligations and §1910 addresses designating replacement depositories, there is no section that covers libraries wishing to leave the FDLP of their own accord. Chapter 19, therefore, provides no direction on the disposition of the depository collections held by libraries leaving the FDLP — depository collections which remain the property of the Federal Government.

Disposition of unwanted documents, however, is covered in §1912, which states that regional depository libraries shall provide “assistance for depository libraries in the disposal of unwanted Government publications.” And further it states, “The libraries designated as regional depositories may permit depository libraries, within the areas served by them, to dispose of Government publications which they have retained for five years after first offering them to other depository libraries within their area, then to other libraries.”

The first guidance GPO provided to regional depository libraries regarding assisting selective depository libraries with the discard of unwanted documents came in their official regional designation notification letter. In the letter it suggests that they may want to have selectives list publications they no longer need and “you may want to check the lists for any publications which may be missing from your own collection.”

This concept was incorporated into the [1974 Instructions to Depository Libraries](#), and required by the [1988 Instructions to Depository Libraries](#). These instructions also applied this process to libraries relinquishing their depository designation. Libraries leaving the FDLP were permitted to keep publications they had received through the Program, if approved by the regional depository. This basic process remained essentially unchanged for almost twenty years:

- Regional depository libraries required selectives to exhaustively list each document they were discarding including the SuDoc number, title, and date.
- Regionals were expected to acquire any documents offered by their selectives and missing from their own permanent collection in order to create a comprehensive regional collection.
- After regional library review, the lists were distributed to other depository libraries in the state(s) served by the regional and then materials could also be offered to depositories nationwide.
- Once these were completed, the discarding library could offer remaining documents to non-depository libraries or they could be disposed of in an “appropriate” manner.

In 1995, in response to complaints of an onerous process for both regional and selective depository libraries, and with the approval of the GPO General Counsel,¹ more flexibility, more latitude, and more discretion in the weeding process was granted to regional depository libraries. Discard approval options in addition to generating lists, include:

- Review by regional depository coordinator, in-person, of publications to be discarded.
- Require selectives to check discards against the regional’s “needs” list.
- Exempt selectives from listing specific formats or categories of documents.

¹ This General Counsel memo, “1995 Memorandum On Eliminating Microfiche From Future Discard Lists,” was reprinted in [Administrative Notes, 25\(12-13\)](#), pp.12-16.