

## **II. BACKGROUND**

The Federal Depository Library Program (FDLP) can trace its roots to 1813 when Congress first authorized legislation to ensure that one copy of the House and Senate Journals and other Congressional publications were provided to certain universities, historical societies, and state libraries. No-fee access for the general public to their Government's information is the foundation of the Program. The online environment offers new opportunities as well as new challenges for depository libraries to provide the desired access.

### **a. Vision and Mission of the Federal Depository Library Program**

The vision of the Federal Depository Library Program is to provide Government information when and where you need it.

The mission of the Federal Depository Library Program is to provide for no-fee ready and permanent public access to Federal Government information, now and for future generations. This is achieved through:

- ♦ Organizing processes that enable desired information to be identified and located;
- ♦ Expert assistance rendered by trained professionals in a network of libraries;
- ♦ Collections of publications at a network of libraries; and
- ♦ Archived online information dissemination products from GPO Access, Federal agency Web sites, and partner Web sites.

### **b. Depository Library Act of 1962**

The intent of the Depository Library Act of 1962, codified in 44 United States Code §§ 1901-1916, was to provide for needed expansion in the number of depositories and to improve the procedures and conditions related to the selection, supply, retention and disposal of Government publications distributed to depository libraries for public information.

At the time this legislation was considered there were 594 depository libraries, all of which had to retain all the items they received, unless they were superseded. Not being able to dispose of materials no longer needed was problematic; libraries were running out of shelf space for new publications. Additionally, the Congress wanted to address the lack of depository libraries in some geographic areas that had experienced population growth. With the passage of the Depository Library Act of 1962 (Public Law 87-579):

- ♦ The number of depository libraries designated per Congressional district doubled, from one to two;
- ♦ Libraries of independent Federal agencies became eligible for depository designation;
- ♦ Government publications within the scope of the FDLP was broadened to include publications not printed by GPO;
- ♦ Depositories no longer were required to pay postage for their shipments; and

- ♦ The current structure of selective and regional depository libraries was established.

Regional depository libraries were established for the acquisition and permanent retention of all available Government publications. With regionals in place, other depository libraries (selectives) could dispose of materials after retaining them for five years. With the ability to withdraw materials from their shelves, selective depositories could offer the public a much broader selection of publications, rather than limiting their receipts because of space constraints. Microfiche was seen as the solution to the space problems of regional depository libraries.

Report language indicates that regionals were expected to be in State Libraries and that most states would suffice with one regional depository; larger states such as California would find the need for two regionals.

### **c. Current Title 44 Statutes Specific to Regional Depository Libraries**

#### **§1911. Free use of Government publications in depositories; disposal of unwanted publications**

Depository libraries shall make Government publications available for the free use of the general public, and may dispose of them after retention for five years under section 1912 of this title, if the depository library is served by a regional depository library. Depository libraries not served by a regional depository library, or that are regional depository libraries themselves, shall retain Government publications permanently in either printed form or in microfacsimile form, except superseded publications or those issued later in bound form which may be discarded as authorized by the Superintendent of Documents.

#### **§1912. Regional depositories; designation; functions; disposal of publications**

Not more than two depository libraries in each State and the Commonwealth of Puerto Rico may be designated as regional depositories, and shall receive from the Superintendent of Documents copies of all new and revised Government publications authorized for distribution to depository libraries. Designation of regional depository libraries may be made by a Senator or the Resident Commissioner from Puerto Rico within the areas served by them, after approval by the head of the library authority of the State or the Commonwealth of Puerto Rico, as the case may be, who shall first ascertain from the head of the library to be so designated that the library will, in addition to fulfilling the requirements for depository libraries, 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); and within the region served will provide interlibrary loan, reference service, and assistance for depository libraries in the disposal of unwanted Government publications. The agreement to function as a regional depository library shall be transmitted to the Superintendent of Documents by the Senator or the Resident Commissioner from Puerto Rico when the designation is made.

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.

#### **d. Regional Scenarios in Place Today**

While the legislative intent of the Depository Library Act of 1962 was to have a regional depository in every state and the State Library was to serve as the regional depository, this has not come to pass. Today there are fifty-two regional depository libraries in forty-three states, of which only fifteen are maintained at State Libraries. Four public libraries serve as regional depositories and the balance of thirty-three regionals are located in academic libraries. Seven states are served by regionals in other states; the District of Columbia and the territories are served by regionals in states.

Within the statutory framework, different arrangements for sharing resources and responsibilities between and among depository libraries have been implemented successfully, with Government Printing Office (GPO) approval. As early as 1966 the University of Maine became the regional depository library for New Hampshire and Vermont, with the support and approval of their Senators. The first shared regionals at the University of North Dakota and North Dakota State University were designated by their Senators in 1968.

Variations of these two models exist today. They include intra-state sharing between regional and selective libraries and the sharing of some services between regional depository libraries in one state and selective depository libraries in an adjacent or near-by state where no regional library exists. See Table 1, Existing Regional Depository Library Models, for details.

#### **e. Transformation of Libraries in the Networked Environment**

Much has changed in libraries since the Depository Library Act of 1962. Technological innovations facilitated the evolution of state and regional cooperative networks. Libraries have standardized bibliographic formats and transfer protocols that allow libraries to share catalogs and cataloging records. These same networks provide the infrastructure for rapid interlibrary loan and document delivery.

The more recent online or Web-based environment and the distributive power of information technologies offer libraries an opportunity to provide access to materials they do not own and make available services that meet the high expectations of library users. As libraries are serving more and more users from locations outside the library building, librarians are turning to the online environment for delivery of information and services at the user's point of need. Consortia purchasing of full-text databases, cooperative virtual/chat reference services, and scanning publications for electronic delivery are examples of ways libraries serve their users in a networked environment.

# Table 1: Existing Regional Depository Library Models

Table key

1 regional serving 1 state	2 regionals serving 1 state	1 regional serving multiple states	Shared regional within 1 state	2 regionals serving 1 state with 1 of the regionals serving another state
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State	# Regionals	Regionals	# Selectives Served	Area(s) Served	Model
AL	2	Auburn University, Montgomery University of Alabama, Tuscaloosa	20	Alabama	Full regionals
AZ	1	Arizona State Library, Archives & Public Records	13	Arizona	Full regional
AR	1	Arkansas State Library	13	Arkansas	Full regional
CA	1	California State Library	90	California	Full regional
CO	2	University of Colorado, Boulder Denver Public Library	31 21	UC Boulder – CO, WY Denver Public - CO	Multi-state Full regionals
CT	1	Connecticut State Library	29	CT, RI	Multi-state
FL	1	University of Florida, Gainesville	43	FL, PR, VI	Multi-state
GA	1	University of Georgia, Athens	23	Georgia	Full regional
HI	1	University of Hawaii, Honolulu	12	HI, AS, Guam, Micronesia	Multi-state
ID	1	University of Idaho, Moscow	9	Idaho	Full regional
IL	1	Illinois State Library	50	Illinois	Full regional
IN	1	Indiana State Library	32	Indiana	Full regional
IA	1	University of Iowa, Iowa City	13	Iowa	Full regional
KS	1	University of Kansas, Lawrence	17	Kansas	Full regional
KY	1	University of Kentucky, Lexington	19	Kentucky	Full regional

State	# Regionals	Regionals	# Selectives Served	Area(s) Served	Model
LA	2	Louisiana State University, Baton Rouge Louisiana Tech University, Ruston	26	Louisiana	Full regionals
ME	1	University of Maine, Orono	25	ME, NH, VT	Multi-state
MD	1	University of Maryland, College Park	63	MD, DE, DC	Multi-state
MA	1	Boston Public Library	28	Massachusetts	Full regional
MI	1	Library of Michigan	43	Michigan	Full regional
MN	1	University of Minnesota, Minneapolis	31	MN, SD	Multi-state
MS	1	University of Mississippi, University	10	Mississippi	Full regional
MO	1	University of Missouri, Columbia	29	Missouri	Full regional
MT	1	University of Montana, Missoula	11	Montana	Full regional
NE	1	University of Nebraska, Lincoln	14	Nebraska	Full regional
NV	1	University of Nevada, Reno	8	Nevada	Full regional
NJ	1	Newark Public Library	27	New Jersey	Full regional
NM	2	New Mexico State Library University of New Mexico, Albuquerque	9	New Mexico	Full regionals
NY	1	New York State Library	80	New York	Full regional
NC	1	University of North Carolina, Chapel Hill	31	North Carolina	Full regional
ND	2	North Dakota State University, Fargo University of North Dakota, Grand Forks	6	North Dakota	Shared Regional
OH	1	State Library of Ohio	55	Ohio	Full regional
OK	2	Oklahoma Department of Libraries Oklahoma State University	18	Oklahoma	Full regionals
OR	1	State Library of Oregon	19	Oregon	Distributed Collection
PA	1	State Library of Pennsylvania	52	Pennsylvania	Full regional

State	# Regionals	Regionals	# Selectives Served	Area(s) Served	Model
SC	2	Clemson University University of South Carolina, Columbia	18	South Carolina	Shared Regional
TN	1	University of Memphis	23	Tennessee	Full regional
TX	2	Texas State Library & Archives Texas Tech University, Lubbock	57	Texas	Full regionals
UT	1	Utah State University, Ogden	8	Utah	Full regional
VA	1	University of Virginia, Charlottesville	34	Virginia	Full regional
WA	1	Washington State Library	27	WA, AK	Multi-state
WV	1	West Virginia University, Morgantown	13	West Virginia	Full regional
WI	2	University of Wisconsin, Madison Milwaukee Public Library	21	Wisconsin	Full regionals

*Data current as of May 12, 2008.*