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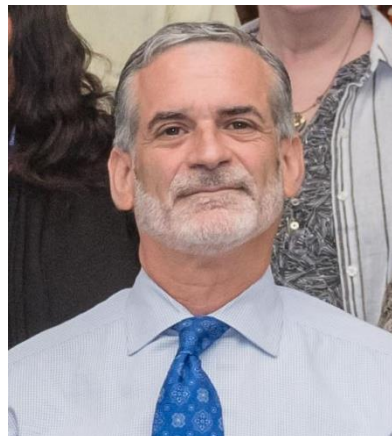


Fugitive Documents 101

A Guide to Lost Federal Documents



Cynthia Etkin



Stephen Kharfen



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History of Fugitive Publications

Cataloging & Indexing and Federal Depository Library Program

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Superintendent of Documents' Office

Government Publishing Office

October 22, 2020

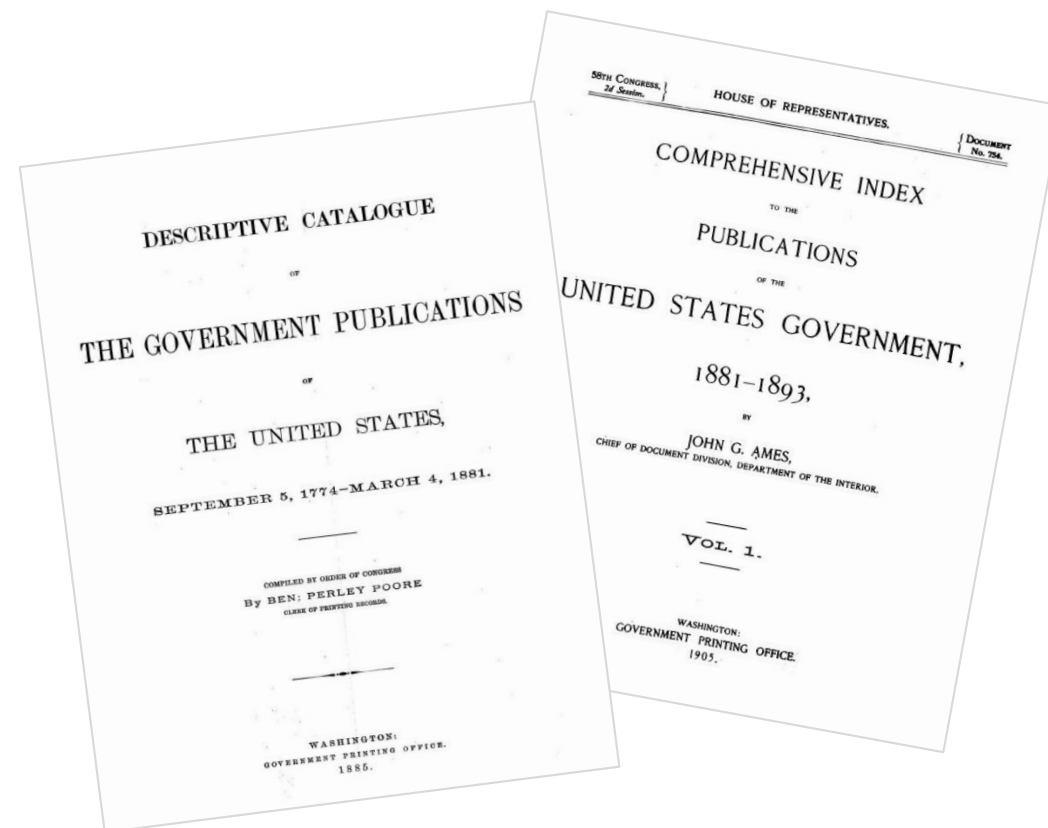


When did we first encounter fugitive documents?

- Benjamin Perley Poore described the challenge of producing the *Descriptive Catalog of the Government Publications of the U.S.*:

“They could not estimate how many publications were to be cataloged, where they were to be found, how long it would take to do the work, or how much it might cost.”
- John Ames compiler of the *Comprehensive Index of Publications of the U.S. Government*, said of the process:

“It has been impossible for them to furnish every document issued during the twelve years covered by the index, so that it is probable that in the aggregate quite a large number of publications, chiefly, however, of an ephemeral character, are not noted in the work”





Superintendent of Documents' First Use of "Fugitive"



Public Documents Library, GPO

- Second Annual Report of the Superintendent of Documents, for the Fiscal Year Ended June 30, **1896**
- Reporting on the progress of building the Document Library collection:

Fugitive publications such as circulars, bulletins, orders, pamphlets, etc., are carefully collected, preserved, and bound.



Oxford English Dictionary: fugitive

5. Of a literary composition (occasionally of a writer): Concerned or dealing with subjects of passing interest; ephemeral, occasional.

1766 C. ANSTEY *New Bath Guide* II. iii. 17 At least, when he chooses his Book to increase, I may take a small Flight as a *fugitive* Piece.

1820 LD. BYRON *Blues* II. 95 You're a fugitive writer, I think, sir, of rhymes?

1823 J. BADCOCK *Domest. Amusem.* p. vii Various fugitive publications of the day.

1864 *Spectator* 9 Apr. 423 The greater part of periodical literature is meant to be, and ought to remain, fugitive.



What's in a name? What does it mean?

Non-Receipts
LostDocs
Non-GPO Publications
Fugitives
Non-Mainstream Documents
Fugitive Documents



A fugitive by any other name ...

- Non-Receipts (1989)

A publication is considered a non-receipt when no copies at all are provided to the Depository Library Program even though the publication is “within scope”

- Non-GPO Publications (1976)

Publications not produced at GPO headquarters so were often not included in the depository library program

- Non-Mainstream Publications (1976)

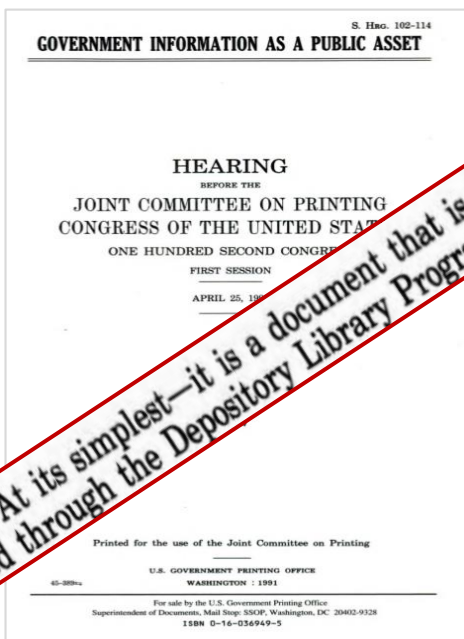
Publications that elude national announcement, they aren't sent to GPO or NTIS, nor are they widely advertised; they're available to those who know how to ask for them



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How is “fugitive document” defined?



Ms. BOWER. At its simplest—it is a document that is supposed to be distributed through the Depository Library Program and is not.

THE NATIONAL TECHNICAL INFORMATION SERVICE

THURSDAY, OCTOBER 21, 1999

U.S. SENATE,
SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:35 p.m., in room SR-253, Russell Senate Office Building, Hon. Bill Frist, chairman of the subcommittee, presiding.

Staff members assigned to this hearing: Floyd DesChamps, Republican professional staff; Elizabeth Prostic, Republican staff assistant; Margaret Spring, Democratic senior counsel; and Jean Toal Eisen, Democratic professional staff.

**OPENING STATEMENT OF HON. BILL FRIST,
U.S. SENATOR FROM TENNESSEE**

Senator FRIST. Good afternoon and welcome to the Science, Technology, and Space Subcommittee hearing on the National Technical Information Service.

Today's hearing is particularly important because it concerns the potential closure of one of the Federal Government's largest scientific clearinghouses in the country. We will now move directly to Congressman James Moran's testimony, and then I will make an opening statement. There are votes currently going on in the House, and out of respect for the Congressman, I would turn to him immediately and hear his statement. Welcome.

**STATEMENT OF HON. JAMES P. MORAN, U.S. REPRESENTATIVE
FROM VIRGINIA**

Mr. MORAN. Thank you very much, Senator. You set a standard for courtesy. I sure hope that Senators get treated half as well as you are treating me. We do have a series of five votes, and it is

central location.
One serious problem with the Department's proposal is its failure to adequately address the fugitive document problem. Fugitive documents are those documents which are not part of the depository library system and are not indexed with other government documents. It is virtually impossible to index or search for these documents unless they are part of a well-known collection, such as that housed by NTIS.

quest or suggestion or, any candidate, or any authorized committee or agent of such candidate (other than any payment which would be described in clause (i), (iii), or (v) of section 301(9)(B) if the payment were an expenditure under such section).''

(3) CLARIFICATION OF REQUIREMENT TO REPORT CERTAIN INDEPENDENT EXPENDITURES.—The second sentence of paragraph (2) of section 304(c) of such Act (2 U.S.C. 434(c)) is amended by striking the period at the end and inserting the following: “, together with the information described in subparagraph (C) of the previous sentence.”

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to expenditures made on or after the date of the enactment of this Act.

PEOPLE'S RIGHT TO ACCESS

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 22, 1997

Mr. HOYER. Mr. Speaker, I rise today to let the American people know about a growing concern with the public's access to Government information. Throughout our country's great history, the Government Printing Office has been the source of all printing done by all Federal agencies. Under title 44 of the United States Code, all agencies are required to use

pository Library Program (FDLP).
Many publications produced by the Government fail to be included in the FDLP. Documents that belong in the Program, but which are excluded, are known as fugitive documents. Their absence from depository library collections impairs effective public access to Government information.

Although no study has resulted in a definitive answer, we estimate that more than 50 percent of all tangible Government information products are not being made available to the Federal Depository Library Program (FDLP). Of these, we estimate that there are about 55,000 scientific and technical documents and reports which are neither printed through GPO nor furnished by the issuing agencies to the FDLP as required by law. The issuing agencies do, however, provide either a printed copy or an electronic image file of each of these documents to the National Technical Information Service (NTIS).

In FY 1996, NTIS took in about 160,000 scientific, technical, and business-related titles, most but not all of which were published by the Government. We estimate that about 70 percent, or 112,000, of NTIS's total intake belongs in the Program. Compared with the 57,000 titles in the FDLP in FY 1996, this leaves at least 55,000 fugitive titles which should have been provided to GPO by the publishing agencies. NTIS provides bibliographic access to the publications it takes in through its abstracting and indexing activities. This makes them available to the public and to depository libraries on an on-demand basis from NTIS, but at a significant cost.

In addition, there is an unknown number of fugitives which are primarily general,





Fugitives Defined at GPO

- Documents that belong in the Program but which are excluded, are known as fugitive documents [1994 GPO Annual Report]
- Fugitive is defined as a U.S. Government publication that falls within the scope of the Federal Depository Library Program (FDLP), but has not been included in the FDLP [Administrative Notes, v.24, no.10 (August 15, 2003)]
- Second major category of fugitive documents—online fugitives. In such cases, the online publication is incorporated in the FDLP by the processes of GPO cataloging and archiving the digital object, documents are fugitive if this has not taken place [Administrative Notes, v.24, no.10 (August 15, 2003)]



Fugitives Defined at GPO

(Continued)

- Document of public interest or educational value, not classified for reasons of national security, which has not been acquired for distribution to Federal depository libraries or brought under bibliographic control through the Catalog of U.S. Government Publications [Administrative Notes, v.25, no.5 (April 15, 2004)]
- A U.S. Government publication that falls within the scope of the Federal Depository Library Program, but has not been included in the FDLP. These publications include tangible or digital products such as ink-on-paper, microforms, websites, CD-ROMs, or DVDs [Library Services System Glossary, November 30, 2016 / *Draft 1.2*]



Fugitive Documents vs. LostDocs

New Email Address Activated for Reporting Fugitive Documents

The Library Programs Service (LPS) has established a new email address, <lostdocs@gpo.gov>, for reporting fugitive documents. Previously the Electronic Documents Working Group and other members of the depository community sent all such notices to askLPS. The increasing volume of submissions to that location prompted the decision to separate the fugitive documents reports. This address, or its corresponding Web page, should be used to notify LPS of any fugitive documents, regardless of format. Fugitives are those documents of public interest or educational value, and not classified for reasons of national security, which have not been acquired for distribution to Federal depository libraries or disseminated through the Catalog of U.S Government Publications (CGP).

The new address has been in effect since January 15, 2002. Add <lostdocs@gpo.gov> to your email address list today and bookmark the corresponding Web page form at:
<http://www.access.gpo.gov/su_docs/fdlp/tools/lostdocs.html>.

[Administrative Notes, v.23, no. 3 \(February 15, 2002\)](#)



Considering a New Definition

- Goal of the CGP to be the comprehensive index to the National Collection and a national bibliography;
- LSCM's undertaking of the shelflist transcription for adding historical records in the CGP;
- What bibliographic control means in the digital age;
- Remote users do not have access to the printed Monthly Catalog; and
- The discoverability needed to meet our vision of providing Government information when and where it is needed.



Official Definition of Fugitive Publication

Public information products that are not discoverable through the Government Publishing Office's Catalog of U.S. Government Publications (CGP)

08/26/2020



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GPO's Policies and Procedures for Fugitive Publications

Stephen Kharfen
Supervisory Librarian
Library Technical Services (LTS)
October 22, 2020



Past Practices: Online Submission Form

- From approximately 2008 to 2018, the Lost Docs Reporting form was the tool for submitting fugitives to GPO for processing and cataloging.
- Included fields for the major descriptive elements of a publication
- Accepted one title at a time
- Provided no feature for uploading a spreadsheet or other method for notifications of multiple publications
- By 2014, added option to upload images of surrogates
- LTS had to manually copy and paste the data into spreadsheets.
- LTS staff used the spreadsheets to catalog the publications.



Redirected Submissions to askGPO

- In 2018, LTS re-evaluated the fugitives operations and workflows.
- The askGPO category, Fugitives publications/LostDocs, had been available and used for submissions before this point.
- Decided to direct all submissions to askGPO
- Resulted in significant advantages and efficiencies.
 - Tracking the status of the submissions
 - Searching for individual submissions and searching by multiple criteria, such as date ranges and incident status
 - Compiling statistical reports.



Current Procedures

- LTS Supervisory Librarians assign submissions of a single or several publications to an individual staff member.
- They subdivide the lists of numerous submissions into spreadsheets of generally fifty publications for multiple staff members to catalog.
- Staff members send an initial response thanking the submitter.
- We work on fugitives as priorities and resources permit.



Numbers of askGPO Inquiries Submitted in the Fugitives Category, 2014-2020

As of September 30, 2020. The total number of fugitives submitted is higher.

Fiscal Year	Total	Completed	Completion %
2020	420	392	93.3
2019	651	644	98.9
2018	601	601	100
2017	300	299	100
2016	216	216	100
2015	292	292	100
2014	158	158	100
Total	2,638	2,602	98.6



Recent Developments: Fugitives Review

- In June 2020, LTS decided to undertake a comprehensive review of fugitives.
- Formed a subgroup as part of the Collection Development Working Group
- Our charge: review our policies and practices and to consider options for updating them
- Submitted a list of questions about fugitives to the Collections and Metadata Services Working Group and compiled the responses in a brief report



New Definition

- *Public information products that are not discoverable through the Government Publishing Office's Catalog of U.S. Government Publications*
- Decided to discontinue the use of lost docs and its variants
- Superintendent of Documents Laurie Hall approved both recommendations.



Next Steps

- Started to identify policies, procedures, and documentation to be revised
- Changed the askGPO category name from Fugitive publications/Lost Docs to Fugitive Publications
- Working with the Salesforce team on new functionality and features
- Creation of a form for the submission of single fugitives
- Add a template with the major identifying metadata elements for submitting multiple fugitives
- Draft procedures to include local MARC fields to tag records as fugitives to collect statistics and track trends



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Thank You Very Much



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Fugitive Documents 101:

Guide to Lost Federal Documents

Vicki L. Tate

Depository Library Coordinator

University of South Alabama Libraries

October 22, 2020



What is a Fugitive Document?

Government publication, as defined by 44 U.S. Code, Sec. 1901, is: “informational matter which is published as an individual document at Government expense, or as required by law.”

But there is no legal definition of a fugitive document.



What is a Fugitive Document?

- Traditional definition: *A document published by the Federal government which disseminates information that is produced at taxpayer expense but not made available to depository libraries from the Federal Depository Library Program (FDLP).*
- New definition: *Public information products that are not discoverable through the Government Publishing Office's Catalog of U.S. Government Publications (CGP).*



What is not included in depository program

As defined by 44 U.S. Code, Sec. 1902:

- ✓ Documents created for “official use only”

Example: *Internal forms, internal memos, internal emails*

- ✓ Documents that “have no public purpose or educational value”

Example: *Passports, signs*

- ✓ Documents that are “classified for reasons of national security”

Example: *Wiki Leaks documents, “top secret” documents*



What is not included in depository program

- Materials produced primarily without government funds (i.e., funding from outside sources such as endowments or associations)

Example: *Smithsonian, National Archives, Library of Congress, National Park Service*

- Publications from quasi-government agencies

Example: *Federal Reserve Banks*



What is not included in depository program

- Decisions of Federal district courts
- Components within titles, e.g. individual speeches, press briefings,
- Reprints of articles
- FOIA materials
- Non-government titles in ERIC or other governmental databases



How to find Fugitive Documents

- SEARCH GOVERNMENT AGENCIES' WEB PAGES:

Look for web pages that are listed as:

Publications

Resources

Reports

Research

Library

News / Newsroom

Data / Statistics



How to find Fugitive Documents

- USE A SEARCH ENGINE:

➤ **USA.gov** <https://www.usa.gov>

➤ **Google** <https://www.google.com/>

--- add .gov or .mil to search strategy



How to find Fugitive Documents

- UTILIZE NOTIFICATION OF PUBLICATIONS:

- **Alerts**

Example: [GPO Bookstore](#)

- **Agency newsletters**

Example: [JUSTINFO](#)

- **RSS**

Example: [VA](#)

- **In the news**

- **In bibliographies**



Determining if a document is a Fugitive

- First, determine if the publication is a U.S. Federal document.

Make sure the document has been issued by a legitimate government agency and not just an organization located in Washington, DC

- Second, determine if the publication is copyrighted.

If it is, the title may not have been produced with federal funds but may only be associated with a government agency



Determining if a document is a Fugitive

- CGP – Catalog of U.S. Government Publications

<https://catalog.gpo.gov/>

When a title is classified and receives an item number (whether it is a tangible or electronic publication) it becomes a part of the FDLP.

- OCLC / WorldCat [FirstSearch] – Commercial database

If not listed in CGP, double-check with OCLC to see what, if any, bib record exists.

[If there are no records for the title from a government agency– it is a fugitive.]



Reporting Fugitive Documents to GPO/FDLP

- Use askGPO (<https://ask.gpo.gov/s/>)

The link to askGPO is available under “Contact Us” on the FDLP web page.

Upon submission, you will receive an email indicating receipt of title.

It is easy to keep track of status since you will receive feedback from GPO.

Be sure to include all relevant information: title, agency, URL, etc.

**Make sure you do your due diligence before submitting titles
or resources to GPO.**



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Contact information

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Q & A