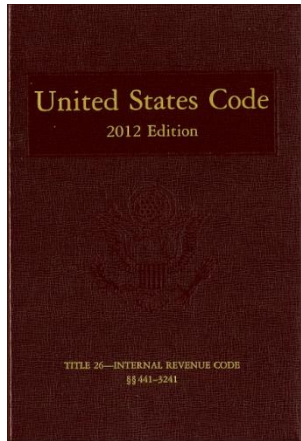# Legal Requirements & Regulations

FDLP Depository Operation Training Series

Outline

- Legal Requirements and Program Regulations of the Federal Depository Library Program (LRPR)

- Responsibilities of FDLs

- GPO library visits and assessments

- Biennial Survey

FDLP Rules - Title 44 USC

The laws applicable to the U.S. Depository Library Program are found in Chapter 19 of Title 44 of the United States Code. Sections 1901-1916 set forth the parameters of the program.

Under Title 44 U.S.C. §1909, the Superintendent of Documents is charged to uphold U.S. Depository Library Program laws. These duties include, but are not limited to, the requirements to investigate depository library conditions, ascertain whether a library is compliant, make recommendations and, if necessary, to remove noncompliant libraries from the Depository Library Program.

FDLP Rules and Regulations - Historic
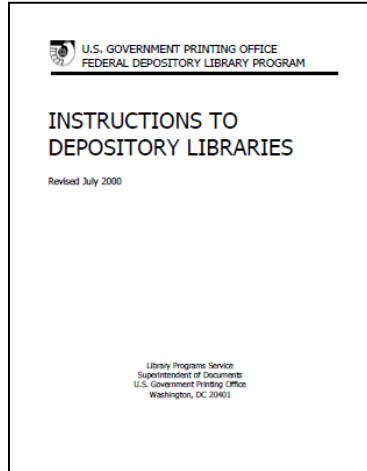
Instructions for Depository Libraries (ca. mid-20th C) – rules and regulations of the FDLP
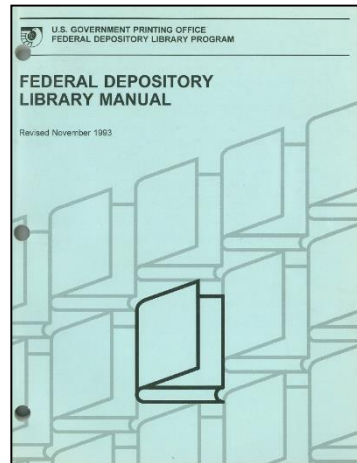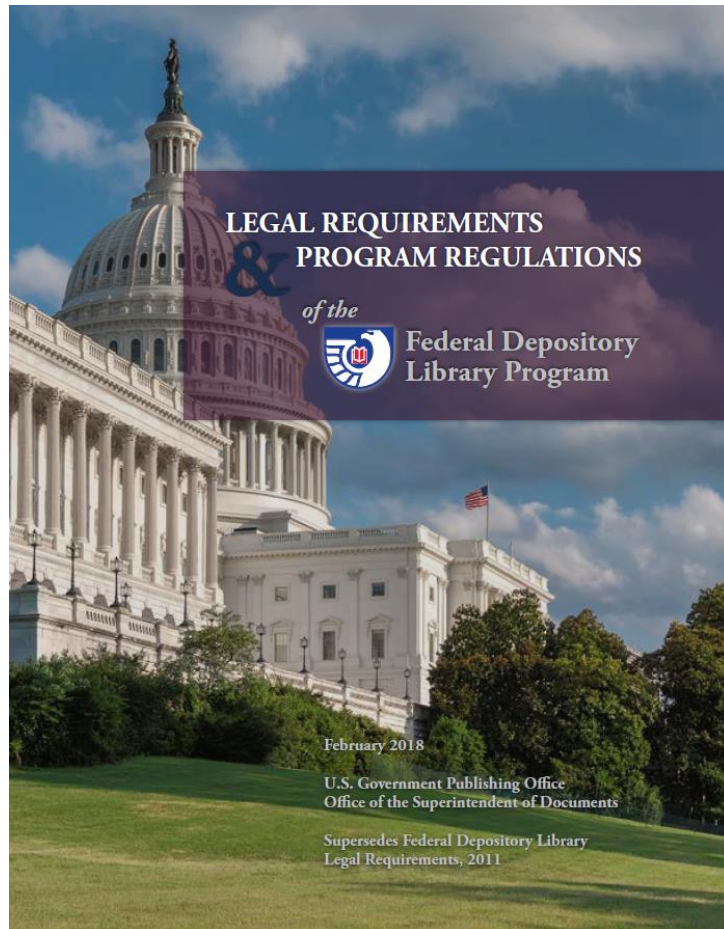
FDL Manual (1985) – guide for carrying out FDLP operations

FDL Handbook (2007) - combination of rules and guidance (online only)

Legal Requirements & Program Regulations (LRPR)

- Regulations are based on Title 44 U.S.C. §§1901-1916 (2010) and further refine and clarify Federal depository library obligations.

- They are not intended to provide in-depth guidance to help library staff gauge how to implement the regulations.
  - In-depth guidance is found in the Guidance articles on FDLP.gov

Online Guidance

Online Guidance

Guidance

This section contains advice on how to comply with the FDLP regulations. Guidance is based on broad topics and articles may reference multiple regulations.

Transitioning depository collection to an all online depository

This article will outline the steps your depository library can take if you wish to change your existing collection footprint and item selection profile to become a depository that provides access only to online formats in the future. Libraries should note that after deselecting all tangibles, it ma...

Access to Collections

In a letter sent to all Depository Coordinators, Superintendent of Documents Laurie Hall addressed questions concerning access to Government resources as libraries reopen. Recognizing that local jurisdictions and parent institutions may have specific guidance to which depository libraries must adher...

Related Regulations: 11, 14, 19, 21, 22, 23, 24, 28, 29, 37, 54

All or Mostly Online Federal Depository Libraries

Current and new depository libraries are able to focus on the provision of access to online resources. Current depositories must address their holdings in all formats, as well strategize for the collection they want to develop in the future. New depository libraries are able to receive material in w...

Amending Your Library's Selection Profile

https://www.fdlp.gov/guidance

Responsibilities of the Library

LRPR 26 • Retention of documents

LRPR 4 • Public access

LRPR 33 • Promotion of depository collections

LRPR 2 • Depository management

LRPR 31, 45 • Communication with GPO and Regional

LRPR 32 • Provide services and staff expertise

LRPR 48 • Recall of depository material

LRPR 3 • Responsibilities when leaving the FDLP

GPO Visits
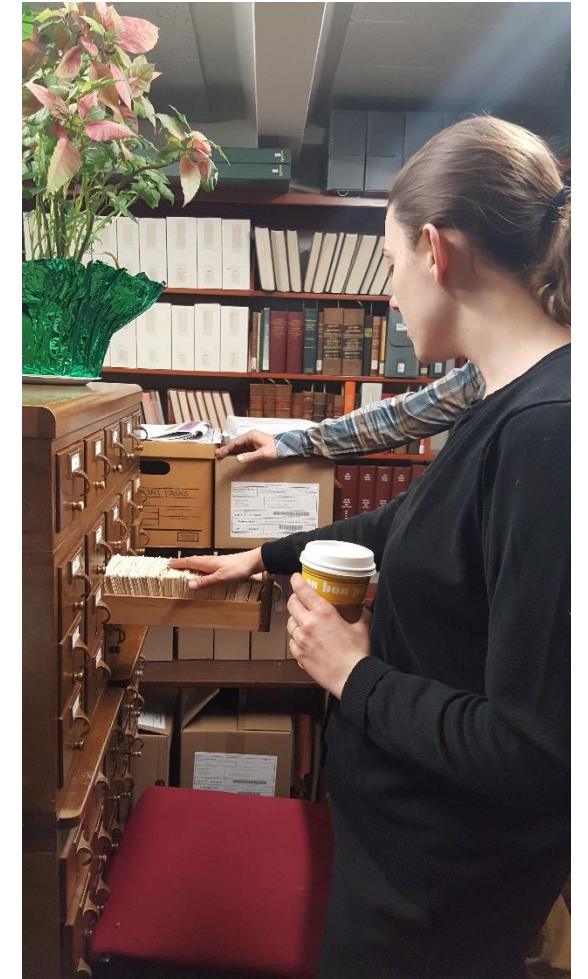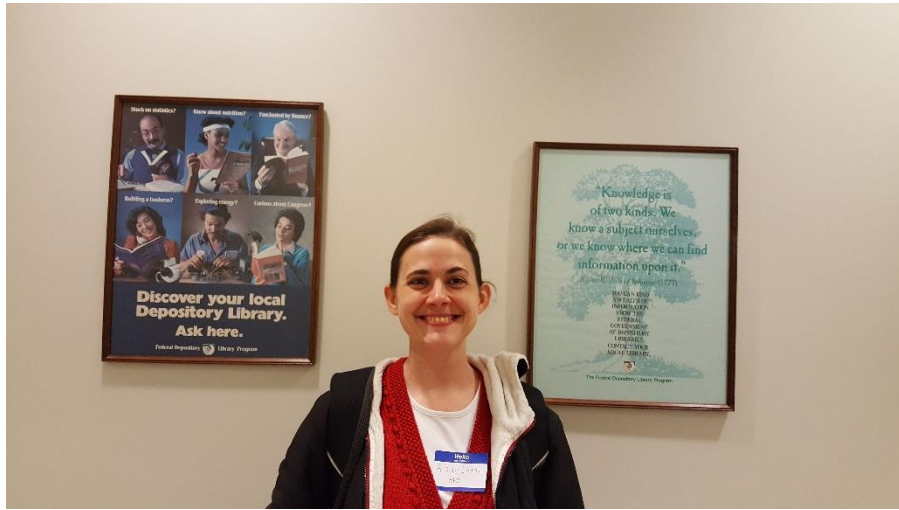
GPO Visits

- Why would GPO visit my library?

  - **To help you!**

  - General or check-in visit

  - Anniversary or special event

  - State or region meeting

  - Public Access Assessment

  - To provide specific training

- "Visits" can be onsite or virtual

What happens during a visit?

- It varies, but can include:

    - Meeting your administrators

    - Providing training for you and your staff

    - Touring the library

    - Consulting on depository management

    - Checking the conditions of the depository

    - GPO representative presenting a speech or special anniversary award

Why are some libraries afraid of GPO visits?

- Investigations of the conditions in depository libraries required by Title 44 U.S.C. §1909

- Former ways of doing this:
  - Inspections (on site at the library)
  - Self-studies leading to inspections as needed
  - [Public Access Assessments](#) (phone call and remote review, or onsite visit if needed)   LRPR 47

- Current way of doing this:
  - Visits
  - Onsite PAAs as needed

Preparing For a DEPOSITORY INSPECTION
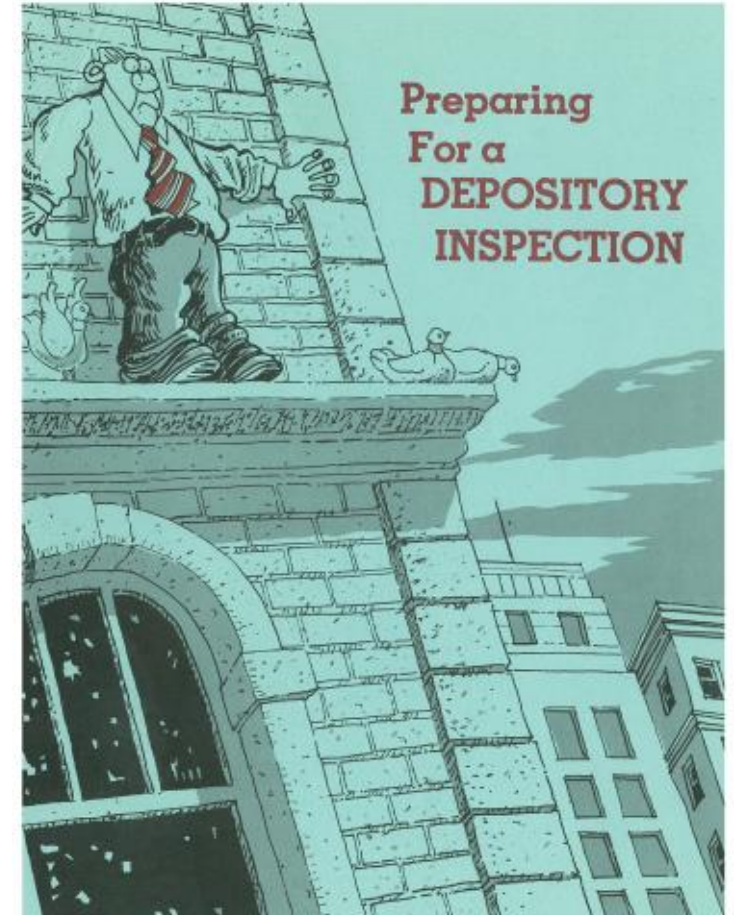
Why should libraries not be afraid of GPO visits?

- They don't have to be intimidating or scary – they are an opportunity for communication

- They can help you make your case internally for improvements or addressing known issues

- They can raise the profile of the FDLP with your library's administration

- Highlight notable achievements and publicize your library's good work

- They can help inspire you and give you a chance to talk about the FDLP with someone else who cares about it

What does GPO notice on visits and generally?

- When we visit and talk to libraries and look at their websites, we frequently see minor "noncompliance" issues

    - Is someone signed up for FDLP News & Events? LRPR 4

    - Out of date information in the Federal Depository Library Directory LRPR 5

    - FDLP Basic Collection or FDLP content not available LRPR 8

Additional noncompliance issues

- Sometimes we see trickier noncompliance issues

  - Piece level accounting is missing for all or part of the collection   LRPR 12

  - Cataloging is lacking for material received after January 2012   LRPR 13

  - Problematic priority use statements   LRPR 35 & 36

  - Limited access for minors   LRPR 34

Areas for improvement / best practices

- Update your web page

- Talk to your regional (and your selective peers) regularly

- Cross-train your reference and other staff in depository reference

- Make sure your security personnel understand depository access for public patrons

- Do a retrospective cataloging project if needed – get your piece level accounting in order

Biennial Survey of Depository Libraries

Required by law

(44 U.S.C. § 1909)

"The designated depository libraries shall report to the Superintendent of Documents at least every two years concerning their condition."

Biennial Survey of Depository Libraries

- Distributed in odd number years

- Electronic submission

- GPO uses its communication channels to announce the survey:
  - FDLP.gov
  - FDLP News and Events Announcements
  - Will contact non-responders via email, phone, and letters to directors

- See FDLP.gov to view questions from prior Biennial Surveys: https://www.fdlp.gov/file-repository/575/biennial-survey

- Libraries often use the old survey data for research

Questions?

[ask.gpo.gov](ask.gpo.gov)