



GPO

**Task Force** on a  
Digital Federal Depository Library Program



**DRAFT REPORT FOR PUBLIC COMMENT**

**SEPTEMBER 14, 2022**

DRAFT

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## I. INTRODUCTION

At the recommendation of the Depository Library Council (DLC), the U.S. Government Publishing Office (GPO) Director Hugh Nathaniel Halpern commissioned a 23-member task force to study the feasibility of a digital Federal Depository Library Program (FDLP). Director Halpern charged the Task Force on a Digital Federal Depository Library Program (hereafter referred to as Task Force) with defining the scope of an all-digital depository program and making recommendations as to how to implement and operate such a program. With representation from the DLC, depository libraries of different types and sizes, library association representatives, and Federal agencies, the Task Force brought diverse experiences and perspectives to the process and ultimately determined that GPO can and should move to an all-digital FDLP.

This document is intended to generate comments and seek input from the FDLP community and the general public regarding an all-digital FDLP. The Task Force will consider those comments as it finalizes the report for delivery to Director Halpern in December 2022.

The Task Force welcomes your comments on our research and conclusions.

## II. ABOUT THE FDLP TASK FORCE

Going all-digital is not a new topic for the FDLP community. Since the Government Printing Office Electronic Information Access Enhancement Act of 1993, both GPO and Federal depository libraries (FDLs) continue to transform their services to meet the needs of the American public. In fact, the first digital-only member of the FDLP joined the program in 2014, and many more digital-only libraries have emerged since then. Recently, it became imperative to investigate a new model of the FDLP due to the coronavirus (COVID-19) pandemic, as libraries across the country were forced to pivot exclusively to online engagement and delivery of services to the American people.

In response to a recommendation from the DLC in fall of 2020, GPO Director Hugh Nathaniel Halpern appointed the Task Force to study the feasibility of a digital FDLP on January 26, 2022. This 23-member Task Force includes representation from the DLC, FDLs of different types and sizes, Federal agencies, and library associations. Director Halpern charged the Task Force with determining whether an all-digital FDLP is possible, and if so, to define the scope of an all-digital depository program and make recommendations as to how to implement and operate such a program. The Task Force's purview included an examination of the current landscape in FDLs, of FDLP-related operations at the GPO, and of the dissemination of publications by Federal agencies.

The Task Force focused its efforts in six (6) specific areas and created working groups to study each area of investigation:

1. **Impact on Access:** internet access, ADA, Section 508, and preservation within the context of the "Impact on the Public" of an all-digital FDLP.
2. **Impact on Depository Libraries:** impact on the depository library communities, including staffing, training, services, operations, and participation.
3. **Impact on Federal Agencies:** notification of digital content and partnerships.
4. **Impact on GPO and Library Services and Content Management:** program administration, staffing, training, infrastructure changes, appropriations/budget, and security and disaster recovery issues.
5. **Title 44, Legislative and Policy Issues:** GPO, Superintendent of Documents policy review, digital content management requirements across Federal agencies, and impact on requirement to print.
6. **Implementation and Strategic Framework:** recommendations as to how to implement and operate an all-digital FDLP, including a strategic framework and implementation plan, should the recommendations of the Task Force support moving toward an all-digital FDLP.

Each working group examined numerous complex facets of its topic area. The groups also collaborated closely on their scopes of work, areas of overlap, and participated in many discussions around the potential challenges that would face the stakeholders and communities.

In order for the various working groups to conduct their reviews and analyses, it was necessary for the Task Force to articulate a definition of an all-digital FDLP. The working consensus definition of an all-digital FDLP adopted initially by the Task Force was:

*A transformational strategy that prioritizes permanent no-fee public access to digital content and related services for people seeking U.S. Government information.*

Based on and informed by the activities undertaken by the Task Force working groups, an updated consensus definition evolved and was adopted:

*An all-digital Federal Depository Library Program delivers permanent no-fee public access to digital content and essential support services to people seeking U.S. Government information.*

Having an agreed-upon definition is essential for GPO to create a vision, develop implementation plans and strategies, engage stakeholders, and create collective action.

Following delivery of this report to Director Halpern in December 2022, the Task Force will conclude its activities in January 2023 with a final evaluation.

## Task Force Members

### **Representing the Depository Library Council**

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### III. BENEFITS AND RISKS

The Task Force concludes that the FDLP can complete its transition to an all-digital program. We determine that the FDLP will benefit from becoming an all-digital program in a number of ways. In order to take advantage of these benefits and better serve users, the program should become all-digital.

The benefits of moving the program to an all-digital future include the ability to:

- Improve access to and preservation of existing tangible collections as full description and online access are created.
- Improve description and presentation of current agency publications that are only available online, enabling today's users to find them while preserving them for future researchers.
- Provide flexibility for participating libraries while inviting new library partners to serve more users with fewer staffing and space barriers.
- Enable GPO to tailor its training for and services to depository libraries to managing and using digital collections.
- Enable GPO to focus its finite resources on an all-digital program to allow the flexibility, collaboration, and resilience needed to ensure permanent public access to Government publications.

There are also risks associated with not transitioning the FDLP to an all-digital program, such as the:

- Lack of systematic and accessible preservation of agency information resources as agencies continue to produce and disseminate agency information via their websites rather than through printed materials or formal publications.
- Lack of a systematic and comprehensive approach to the gathering, resource discovery, and availability of Federal Government information, leading to less public access to Government information.
- Relegation of the FDLP to an increasingly outmoded approach to information discovery, access, and retrieval when compared to public expectations, modern digital tools, and evolving agency and library practices.
- Missed opportunity by GPO to demonstrate leadership to create new partnerships as well as enhance existing partnerships and collaborations that can expand and secure the future for no-cost public access to Government information.

There are barriers to completing the transition to an all-digital program, some internal which must be addressed by GPO, and some external which will need creative solutions from the Government information community or even legislative change. This report identifies a number of issues that GPO needs to address for the FDLP to truly become all-digital. Implementation of the change will need to proceed cautiously but also deliberately so that the community of Government information users can realize the benefits of an all-digital program.

## **IV. RECOMMENDATIONS**

Based on their review and analysis, the working groups of the Task Force developed a series of recommendations regarding an all-digital FDLP. This section presents a consolidated set of recommendations to GPO by key topic.

### **Users, Communities, and Accessibility**

Ensure that all members of the public, regardless of geography, ability, telecommunications infrastructure, etc., have no-fee access to Federal Government information.

Develop protocols and guidelines that protect the confidentiality and privacy of individuals who access digital Government information through an all-digital FDLP.

### **Printed Materials and Legacy Collections**

An all-digital FDLP may not mean the immediate discontinuation of print distribution. As long as key publications continue in print, such as congressional committee prints, hearings, and reports, Congressional Record, Statutes at Large, and the Code of Federal Regulations, print versions of these publications will need to remain available for FDL selection.

Superintendent of Documents policy should determine which specific print titles will remain available for selection by FDLs. At the same time, GPO should periodically communicate with agencies to confirm whether or not there is a need to distribute in print.

Continue to digitize legacy tangible collections, including in partnership with FDLs, and balance this work with the immediate need for FDLs to maintain the legacy print collections for access and preservation purposes.

### **Permanence and Authentication**

Develop strategies and approaches that address publication permanence such as how born-digital and digitized Government information is preserved to assure authenticity, identify version control, and exclude personally identifiable information.

### **Technical and Implementation**

Establish standards and partnerships for metadata, digital preservation, and the development of best practices for digitization.

Develop a system to link to agency repository content via the [Catalog of U.S. Government Publications](#) (CGP) rather than continue to catalog agency publications that reside in the agencies' repositories.

Create additional types of FDLs beyond regional and selective designations to allow for different levels of library participation.



## **Training, Transition, and Capacity Building**

Develop and provide collaborative training efforts to the FDL community to include skills specific to technologies and software for finding and managing digital publications and curating digital collections. LSCM staff will also require training resources to learn new systems and techniques as they become available. Creative staffing solutions at GPO and LSCM will be needed to manage the transition to an all-digital environment (e.g., an organizational transformation consultant).

Secure and provide dedicated resources for infrastructure modernization and increased capacity to digitize legacy collections.

## **Collaborations, Partnerships, and Relationships**

Collaborate with Federal agencies, libraries, and others to work toward ensuring ubiquity of access to broadband and technologies to mitigate the multiple digital divides and disparities. These collaborations can also foster access strategies and approaches to provide access to individuals with disabilities.

Reach out to agencies, national libraries, and others to coordinate efforts to digitize historical publications, identify unreported publications, and increase preservation of and access to historical web content. GPO should foster collaborative arrangements to avoid duplication of effort and reduce costs.

Work to develop a Government-wide network of digital repositories to ensure permanent, free public access to all Government information. [GovInfo](#) will be a key component of this network.

## **Operations and Services**

Investigate new and enhanced bibliographic record distribution services to FDLs to increase access to Government information through library catalogs.

Expand the implementation of the [Regional Depository Libraries Online Selection Policy](#) to other eligible titles.

## **Title 44, Legislation, and Policy Actions**

Build on the [GPO legislative proposals from 2022](#) to modernize the FDLP, as the proposals alone do not fully account for an all-digital FDLP as envisioned by the Task Force.

Develop partnerships and cooperative agreements with Federal agencies to create new ways to automate compliance with Title 44, and explore other potential legislative, administrative, and discretionary options to increase agency engagement with the FDLP.

## V. IMPACTS AND OBSERVATIONS

### A. Impact on Access

Working Group Leader: Jennifer Nelson

Working Group Members: Shari Laster, Adriene Lim, Aimée Quinn, Laura Sare, Will Stringfellow

#### Summary

This section reflects on the questions of can and should the FDLP go all-digital from the perspective of public access to Federal Government information. It provides an overview of the impact an all-digital FDLP would have on permanent, no-fee access to Federal Government information for the general public. Further, this section explores the challenges and opportunities related to the creation of an all-digital FDLP that maximizes no-fee access to Federal information. In part, the working group findings are based on the research that it conducted, interviews with FDLP stakeholders, and an online survey used to gather the input and perspectives of users with and without experience with Government information.

The Impact on Access Working Group (IAWG) interpreted the Task Force's initial definition of an all-digital FDLP to mean that alternative formats of both current and historical information would continue to be available. Access to select print materials would be retained. Further, the capture, preservation and accessibility of digital content would be prioritized. With this interpretation of the definition and the concerns noted in this section addressed successfully, the working group believes that the FDLP both can and should go all-digital.

In practice, an estimated 97 percent of all Federal information sources are available electronically ([Schonfeld & Housewright, 2009](#)), making the case that the FDLP needs to align the way it operates with an increasingly digital information service context in which the majority of newly-published Federal information available through the FDLP is already available and distributed in a digital format. An improved model for no-fee public access to Federal information can be created that leverages the benefits of the existing FDLP network and digital technology, maintains and improves upon the high standards established by the GPO through the FDLP, and transforms the FDLP to meet Federal information users where they are in the 21st century.

Based on its review, the IAWG concluded that the FDLP can and should go all-digital, but that there remain concerns regarding societal disparities that may pose access barriers to individuals and communities seeking to access digital content.

#### Who Uses Government Information and the FDLP?

The GPO is mandated to provide no-fee access to Federal information regardless of format and does so, in large part, through the FDLP. The U.S. Government information user base is broad and varied, engaging with Government information for a wide range of purposes. At the same time, users have options on how to access Federal information, including but not limited to the FDLP. Agency websites and [GovInfo](#) provide direct and unmediated access to Federal

information. As such, many users neither require the assistance of trained librarians nor go through the FDLP to access Federal Government information.

There are subsets of individuals, however, who may not be able to access and interact with digital-only Federal Government information directly, such as those who:

- Have disabilities and require the use of assistive technologies.
- Lack home access to the internet.
- Rely solely on mobile devices for internet access.
- Reside near a Federal depository library who have traditionally relied on print access.

The needs of these users must be accommodated in any implementation of an all-digital FDLP.

## Considerations and Conclusion

There are a number of issues associated with both the existing FDLP model and moving to an all-digital FDLP model, including:

- **Digital disparity.** At present, robust internet access is neither ubiquitous nor readily available in all communities. Not all individuals have access to information technologies capable of adequately accessing digital content; home broadband adoption and computer ownership vary by race, community (e.g., Tribal lands), and location (e.g., rural areas) (Pew Research Center, 2021; FCC, 2018). Further, not all have internet access at sufficient speeds and capacities or devices to access broadband-intensive content (e.g., streaming media, large and high-resolution images). While public libraries provide free public access to the internet with reasonable upload/download speeds that can be used to access digital Federal information, not all individuals or communities may have access to a public library in their vicinity.
- **Accessibility of digital content.** All information resources and public interfaces produced by the Federal Government should comply with the accessibility requirements of the [Americans with Disabilities Act](#) (ADA) and [Section 508 of the Rehabilitation Act](#). As a result of these requirements, digital Federal information content is expected to be largely accessible to people who use assistive technologies, including screen readers and electronic braille readers. However, in the context of an all-digital FDLP, it is even more important to emphasize the application of inclusive, universally-accessible design throughout the entire FDLP.
- **Awareness and ability.** Access by any mechanism requires or presumes that users are aware the information exists, that the resources of the FDLP are available, and that individuals know how to find and retrieve the information successfully. FDL staff play a key educational and promotional role in the Federal information ecosystem, as well as roles in facilitating access, collection development, and preservation.
- **Challenges posed by materials.** Special types of information – legacy printed maps, for example – pose additional challenges to an all-digital FDLP. As with other Federal documents, there is a divide between digital resources that may be easier to access versus those that are in print for which digitization could be a challenge. The digital version of some items is not equivalent to the print version. The physical dimensions and

the need for high-quality resolution of topographical maps, for example, cannot be fully replicated digitally. Conversely, digitization of materials can offer advantages such as the ability to zoom in on and magnify content.

- **Authentication and version control of digital materials.** Some users, especially those in legal professions, may be required by state or Federal court rule to use the official and most current version of a document. In some cases, the official version is designated in statute or regulation as the printed version. Digital documents are authenticated by GPO and minimally available through [GovInfo](#), which should continue. Print-on-demand services may fill the need for print copies of authenticated digital documents, however, print-on-demand services are not without challenges (e.g., costs, staffing constraints).
- **Affordability.** While individuals who do not live near an FDL can use a public library's interlibrary loan service to obtain printed information, this may require the payment of fees that individuals may not be able to afford.
- **Capacity of FDLs to fully embrace an all-digital FDLP.** Librarians in state libraries that have primarily digital state document depositories report that usage of documents, as a general rule of thumb, increased once available digitally. Each FDL has different capacity, ability, and limitations (e.g., staff, space, technology, funding, legacy collections, and materials) that may inhibit its ability to move to an all-digital FDLP.
- **Privacy and confidentiality.** The capability for digital tracking is a privacy concern for users of Federal Government information. Users should be able to access and use Federal Government information in a way that will protect their privacy and confidentiality as a fundamental right.
- **Resilience, disaster planning and recovery, and security.** An all-digital FDLP will rely on secure networks, stable and available telecommunications infrastructure, and network security to function properly.

The above considerations serve to contextualize an all-digital FDLP and highlight the impacts of persistent inequities of access to information in society. By the same token, however, access to FDLs with print collections can also create barriers to access given their geographic locations and physical collections.

The IAWG concludes that the FDLP can and should go all-digital, recognizing that there are challenges in both the physical and digital realm regarding availability and access to Federal Government information. As GPO considers the opportunities afforded by an all-digital FDLP, it will need to factor and mitigate to the extent possible the potential social and technical barriers to Government information.

## B. Impact on Depository Libraries

Working Group Leader: Will Stringfellow

Working Group Members: Jim Gillispie, Valerie Glenn, Amy Laub-Carroll, Jennifer Morgan, Steve Rollins, Andrea Stelljes

### Summary

The Impact on Depository Libraries Working Group (IDLWG) was tasked with determining whether the FDLP can and should go all-digital, from the perspective of FDLs. The working group identified the following to explore: staffing, training, services, operations, and participation.

The data in this section was gathered from several sources, including the [2021 Biennial Survey of Federal Depository Libraries](#) (Office of the Superintendent of Documents, 2021), an [Open Forum](#) at the Spring 2022 Depository Library Council Virtual Meeting, and conversations with select FDL staff. It is worth mentioning that most of the data referenced in this section was received from FDL personnel.

Recognizing that dissimilar types of libraries with diverse user populations and needs participate in the FDLP, the IDLWG agrees that it is possible for depository libraries to transition to an all-digital FDLP. The IDLWG agrees that transitioning to an all-digital FDLP is an appropriate direction for the program, however, we believe that GPO must balance its need to maintain a robust FDLP with its duty to guarantee the continuation of the fundamental mission of the program – to ensure that the American public has no-fee access to its Government and its Government’s information.

### Current Landscape of FDLs from a Digital Perspective

Key aspects for an all-digital FDLP given the current landscape of FDLs include:

- Since 2009, 97 percent of new Federal Government publications are made available digitally. ([Schonfeld & Housewright, 2009](#))
- 25 percent of FDLs have a mostly digital or all-digital collection. ([Q10 Biennial Survey](#))
- 17 percent of FDLs plan to transition to a digital-only depository and discontinue receipt of future tangible depository material. ([Q8 Biennial Survey](#))
- Among those surveyed by the IDLWG, there was 100 percent agreement that there was no negative impact on their depository operations by the regional’s decision to select only online versions of the Congressional Record or Federal Register. (“[Regional Depository Libraries Online Selections Policy Post-Implementation Analysis: Final Report,](#)” May 20, 2022)

Interest in digital collections remains high among FDL Coordinators, other library staff, and library users. The mission and vision of the FDLP is integral to their work as they strive to provide no-fee, ready, and permanent public access to Federal Government information. As participants in the FDLP, *America Informed* is the community’s guiding principle, and an all- or mostly-digital FDLP will ensure and enhance access to trusted public information.

As more FDLs transition to or are considering transitioning to an all- or mostly-digital program, GPO's LSCM organization provides a solid foundation with [regulations](#) and [guidance documents](#) to support the transformation to an all-digital FDLP. They are intended to assist and support depository library staff when and if they decide to transition to an all online or mostly online depository, while maintaining and preserving or withdrawing their historical tangible collections.

## Implications of Going All-digital

### *Staffing*

The IDLWG identified several themes regarding the impact of an all-digital FDLP on Government information librarians and other depository library staff from its data collection. Library staff anticipate the opportunities to make significant changes, both positive and negative, in their roles and responsibilities in the areas of technology, cataloging, collection development and maintenance, collaboration, administrative support, collection discovery, and promotion of Government publications and information.

The IDLWG solicited feedback on a number of topics related to an all-digital FDLP at the April 12, 2022, [DLC Virtual Meeting's Open Forum](#) (Forum). The below summarizes the Forum topic areas and responses (see Appendix: Impact on Depository Libraries for a full summary).

- **Impact on staffing and staffing levels.** Concerns included a reduction in dedicated Government information staff, diminished support for the FDLP from library administrators, and reduced library budgets creating staffing and resource challenges regarding participation in the FDLP.
- **Skills necessary for participation in an all-digital FDLP.** Necessary skills include technical skills (e.g., cataloging, reference and referral, data analytics, electronic records management), customer service and collaboration skills, and training skills (e.g., ability to train users and colleagues in the use of Government information).
- **Role(s) of FDLP Coordinators.** FDLP Coordinator roles identified include active promotion and raising awareness of online collections and the FDLP, the creation and use of discovery tools for increased access to Government information, community engagement, outreach to the public, and advocating and articulating the value of the FDLP to library administrators, with help from GPO staff.
- **Role(s) of other library staff.** Roles of other library staff include digitization expertise and adherence to standards for digitization, training for public-facing versus online librarians for discovering publications, and collaboration with website developers and web content managers for discovery tools.

### *Training*

In the current FDLP landscape, GPO offers several methods for training FDLP staff, which include providing guidance and regulatory documentation, in-person library site visits, and a wide range of educational services offered via the [FDLP Academy](#), including webinars, recorded video tutorials, the FDLP Coordinator Certificate Program, onsite training opportunities, and FDLP conferences. When exploring the training methods and topics which will be needed for



implementing an all-digital FDLP, there are some areas of overlap with currently offered training programs.

The IDLWG asked the FDLP professional community two questions regarding training during the Spring 2022 Depository Library Council Virtual Meeting: 1) What skills will library staff, library users, and other stakeholders need? 2) What training content, methods, and resources are needed?

In terms of necessary skills, participants identified the following: discovering, accessing, and managing digital publications; understanding the makeup of the Federal Government; legal and regulatory requirements regarding the FDLP; technical skills such as cataloging, processing, collection management; and discovering and accessing non-digitized historic publications.

Regarding content, methods, and resources, participants identified the following: technologies and software for discovering, accessing, and managing digital Government publications; finding aids for discovering and accessing non-digitized historic publications; a desire for multiple training formats: videos, guides, live tutorials, and printed materials; cross-country collaboration for ongoing training; and specialized topics such as WEBTech notes, Application Programming Interfaces, MarcEdit.

Notably, several participants mentioned Government documents training should begin for students in Library and Information Science (LIS) programs; however, there has been a noticeable lack of Government documents training in such programs.

### **Services**

In the current FDLP environment, libraries and GPO provide services to library users as well as other libraries. Examples of services from all FDLs can include: providing research support; assisting users in finding and navigating Government information in all formats; providing equipment to access Government information in all formats; borrowing and lending physical materials; digitizing materials when an electronic copy does not exist; and training to other depository library personnel.

Regional depository libraries often provide consultation services and training for selective libraries, particularly regarding FDLP collection activities such as cataloging and collection management. [Preservation Stewards and Print Selectors](#) ensure that there is distributed access to physical materials and allow other FDLs more flexibility in managing their collections.

GPO provides services to users and to libraries, including: [GovInfo](#), the [CGP](#), the [Depository Selection Information Management System](#) (DSIMS), depository guidance, tools for curation of digital content, educational opportunities through the [FDLP Academy](#), promotion and outreach materials, cataloging Government publications, and digitizing Government publications.

The [Open Forum](#) identified the following:

- Several participants did not see many changes taking place in their libraries, as they have been operating in a mostly-digital FDLP (and library) environment for many years. Others anticipated a decrease in services associated with physical materials (e.g., borrowing and lending) along with an increased need for computing equipment and more

engaged reference assistance (with the assertion that digital information is harder to navigate than print).

- Attendees were mixed on the topic of how staffing will impact services, with some noting that their staffing has already been cut as much as it can, and others warning that an all-digital FDLP would lead to less investment in staffing by library administrators.
- Participants anticipated an increase in the amount of services provided by GPO in an all-digital FDLP, including an increased role in collection guidance and management, cataloging guidance, and training.
- There is also an increased interest in print-on-demand and GPO as a supplier of this material.
- It seems likely that in an all-digital FDLP where no print is distributed, any libraries that choose to continue to provide access to printed materials will incur additional costs.
- Preservation of digital content was noted as being extremely important in an all-digital FDLP, although not assigned to a specific body (GPO or FDLs).

### **Operations**

The IDLWG defined operations as any aspects of FDL work that involve the means of providing access to depository materials and information, and within this area there is some overlap with services and staffing. Operations include acquiring, processing, making depository materials accessible, preserving print and digital, and weeding of materials.

The overall feedback from attendees of the [Forum](#) focused on a need for clarity in regulations, collection development policies, and the growing importance of partnerships. Specific comments included:

- The ongoing need for FDLs to ensure internet access for all users.
- Many FDLs will need to upgrade their servers if digital deposit is required. Additionally, they will need to plan for digital preservation and back-up strategies while addressing cybersecurity considerations.
- FDL staff would have more time for outreach, promotion of information on agency websites, preservation of older tangible materials, and that regionals would have more time to train selectives.
- The need for GPO to inform the FDL community which, if any, tangible materials from the legacy print collections selectives need to retain.
- The need for more [Preservation Stewards](#), which would help address the concern for the legacy print collection.

Based on this feedback, if the FDLP goes all-digital, the FDL community wants GPO to provide clear and specific guidelines regarding retention periods for electronic/digital publications, the role of the regional in the weeding process, and the role of legacy print collections as we move forward.



## ***Participation***

All signs point to an unfailing interest by FDLs in continuing their partnerships with the GPO as disseminators of Federal Government information. Libraries have a long and respected tradition of making available content and services tailored to the needs of their local community, and FDLs are no exception. Patron demand for access to eBooks, eJournals, and other full-text electronic content is a powerful trend that libraries work hard to satisfy. Benefits accrued to participating libraries include training opportunities and the connections it offers to a community that fosters Government information expertise, while former FDLs indicated that the most frequent reasons for ending participation were space reallocation/shortage and staff shortage/cuts related to housing and managing print collections.

As a component of their participation, FDLs have a vested interest in expanding their electronic offerings to include newly-published titles that currently the GPO only has to offer libraries in a print format. They desire a program that can accelerate the growth of the [National Collection](#) with scanned digital versions of decades-old documents that GPO previously distributed through the FDLP.

## **Conclusion**

Based on its review, the IDLWG concludes that the FDLP can and should go all-digital, provided leadership from GPO will address the concerns and opportunities identified by FDLs.

## C. Impact on Federal Agencies

Working Group Leader: Laurie Hall

Working Group Members: Chris Brady, Dee Clarkin, Gwen Sinclair

### Summary

The Impact on Federal Agencies Working Group (IFAWG) of the Task Force investigated the impact of an all-digital FDLP on Federal agencies in all branches of Government. The IFAWG concluded that there would be little impact on Federal agencies if the FDLP were to cease distributing printed documents. Most agencies have already moved to predominantly all-digital dissemination of their publications. The few remaining print publications are likely to transition to digital in the next few years, with some exceptions. The IFAWG concluded that even if GPO were to take no action, the FDLP will soon be mostly digital by default as the COVID-19 pandemic introduced greater demand for digital delivery of information. In addition, supply chain issues and inflation have further reduced printing by Federal agencies.

Further, the IFAWG learned that there is little compliance with the current requirements in Title 44 §1710 and §1902 that agencies report their publications to GPO. A founding goal of the FDLP is to ensure that the public has access to no-fee U.S. Government information, and there are multiple pathways to achieve that goal. GPO's mission should pivot to the maintenance of a national bibliography and greater collaboration with agencies to harvest metadata and develop best practices for digital preservation and archiving.

Government-wide harvesting and preservation of digital content, including digitization of historic content, should be the primary goal going forward. The [End of Term Web Archive](#) (EOT) can serve as a model in demonstrating the power of collaboration with Federal partners to provide permanent public access to agency publications.

Ultimately, the IFAWG concluded that the FDLP can and should transition to an all-digital program.

### What the IFAWG Learned

The IFAWG began its work by investigating the impact of an all-digital FDLP on Federal agencies in all branches of Government. As part of this work, the IFAWG examined current digital publishing practices of Federal agencies and explored how the FDLP could coordinate with them and provide standards and best practices to ensure permanent public access to their digital publications.

Using the report "[Disseminating and Preserving Digital Public Information Products Created by the U.S. Federal Government: A Case Study Report](#)" and our own knowledge and experience as a starting point, the IFAWG identified the following assumptions:

1. Federal agency staff who work with print publishing will be reduced. Furthermore, historical or archival staffs and staff in Federal libraries have been reduced overall, and Federal libraries have closed or are being asked to reduce print collections.

2. The three branches of Government do not have similar requirements for printing or lifecycle management of information, nor is there an overall Government-wide approach to information management and lifecycle of published information, whether print or digital.
3. Printing by Federal agencies will continue to decline. Increasingly, titles and resources will be born-digital and posted to agency websites to meet requirements to provide information to the public quickly. The favoring of web content over PDF or print optimized versions will cause a gap between what information products an agency produces on websites versus those that are easily archivable and distributable.
4. Some Federal agencies continue to print specific types of publications based on the intended audience. For example, the National Park Service will likely continue to print maps and brochures for National Parks as it continues to be a format used by the general public when visiting parks. Likewise, the Social Security Administration and other agencies publishing health-related information that needs constant updating may continue to print in paper format to reach a broader audience.
5. There is much confusion at Federal agencies regarding the requirements for the FDLP. Although they are aware of the Presidential Records Act (PRA) and National Archives requirements, many staffers aren't familiar with the FDLP. Many agencies are following [Joint Committee on Printing \(JCP\)](#) requirements from the 1980s, obsolete workflows, and waivers from JCP. In some agencies, this breeds resentment towards the FDLP and GPO.
6. Federal agencies are large, and many are decentralized, so within an individual agency there are different publishing and printing practices.
7. Communications staff within agencies are focused on short-term information dissemination and are unaware of the need to archive and provide access to information from the past.
8. Agencies are following their internal policies or cross-Government mandates, such as the [2013 Office of Science and Technology Policy \(OSTP\) memorandum](#) on making published science publicly available, that have resulted in building and maintaining agency digital repositories or information warehouses, which may or may not overlap with [GovInfo](#). Consequently, they see no need/use for [GovInfo](#) except for research purposes.
9. Some agencies lack digital repositories and the capacity to perform digital archiving and preservation work.
10. Congressional appropriations will continue to favor digital transformation versus print.

Key findings from the IFAWG review include (see Appendix: Impact on Federal Agencies for the complete set of findings):

- Most agencies included in the [Disseminating and Preserving Digital Public Information Products](#) case study report publish virtually everything online. A few agencies continue to print a handful of their publications. Reasons for this included proprietary information and concern about foreign use of the information.
- Publishing in Federal agencies is sometimes very decentralized, and it is difficult to determine how publishing decisions are made and by whom. The IFAWG noted that this

decentralization makes it more difficult for GPO to contact agencies to learn about the agency's practices and to communicate about the FDLP.

- There are complex challenges in trying to identify agency publications in all formats. Remote work during the COVID-19 pandemic has increased these challenges. Agencies currently are unaware of or do not comply with the requirements of Office of Management & Budget ([OMB Circular A-130](#)), so there is no reason to think that additional regulations will result in greater compliance.
- Ideally, all Federal publications should be made available through [GovInfo](#).
- Some agencies have established robust centralized digital repositories with stringent standards, but others operate in a more decentralized, less standardized manner. It is unknown how many agencies adhere to the [Federal Agencies Digital Guidelines Initiative](#) (FADGI) standards for creating and preserving digital content.
- Some agencies are focused on building and improving institutional repositories that promote greater access to the agency's scientific publications. Agencies that fund scientific research are required to comply with [OSTP's 2013 memorandum](#) and have established working groups to collaborate on approaches to improving access to their publications. Many agencies are following "[The FAIR Guiding Principles for Scientific Data Management and Stewardship](#)." These guidelines are designed to improve the Findability, Accessibility, Interoperability, and Reuse of digital assets.
- While agencies indicated awareness of GPO's statutory mandates related to tangible material, they appeared to be unaware that these mandates could be applicable to "The FAIR Guiding Principles for Scientific Data Management and Stewardship" digital content. In addition, agencies viewed compliance with Title 44's requirement to notify GPO of online publications as an unfunded mandate.
- The FDLP's potential transition to an all-digital distribution model will not have a marked impact on Federal agency printing and publishing practices. In reality, the reverse is true. The publishing decisions of Federal agencies will impact whether or not GPO can obtain publications in print format for distribution to libraries in the FDLP. Appropriated funds for GPO will not likely be available to convert born-digital publications and information resources to a print format for FDLs. Additionally, printing budgets at agencies are often the first to be cut or eliminated and may serve as an agency's justification for discontinuing titles in print format.

The IFAWG also met with GPO staff members involved with collection development and web harvesting/archiving. GPO's web harvesting efforts currently collect only a fraction of what agencies publish online. Many agencies manage their own web archiving systems. The IFAWG concluded that web harvesting is only a partial solution to providing permanent public access to digital publications.

In the all-digital model, GPO staff would continue existing efforts to:

1. Develop relationships with agencies and libraries to identify unreported publications, including born-digital titles.
2. Reassess cataloging priorities and methodologies to provide greater access to born-digital and harvested collections of agency information.

3. Harvest materials from agency websites.
4. Investigate other methods to identify content in scope of the FDLP.

## **Conclusion**

The FDLP can and should go all-digital. Its infrastructure and legislative mandate should support the rest of the Federal Government in its transition to all-digital publishing. An all-digital FDLP can enhance the information services and resources to Government information through the use of technologies such as Application Programming Interfaces (APIs), text mining, and discovery tools. Further, public access is expanded through the removal of physical boundaries to Government information, as well as round-the-clock availability.

DRAFT

## D. Impact on GPO, Library Services & Content Management

Working Group Leader: Richard Leiter

Working Group Members: Cynthia Etkin, Kate Pitcher, Aimée Quinn, Scott Matheson

### Summary

The Impact on GPO and LSCM Working Group (GPO/LSCM Working Group) considered the impact of an all-digital FDLP on the GPO and specifically its LSCM business unit. The GPO/LSCM Working Group interviewed stakeholders from the GPO and LSCM to gather information about how a decision to prioritize an all-digital FDLP would impact them and reviewed budget and ordering data related to LSCM printing for depository distribution to gauge broader agency impact.

In general, the GPO/LSCM Working Group found LSCM stakeholders are prepared for a change to an all-digital FDLP. The GPO/LSCM Working Group noted that much of the GPO/LSCM staff work will change very little, yet there will be substantial changes for staff whose responsibility it is to work with tangible materials such as press, warehouse, and distribution workers. There may also be situations where GPO is obligated to handle tangible media as part of exchange programs or through agreements with the Library of Congress (LC). In these situations, it is possible that the distribution of materials via the FDLP may cease; there may be reasons to maintain inventory of print materials for these purposes.

The Public Information Programs of the Superintendent of Documents is one of the few areas of GPO that receives appropriations to do their work. LSCM has been working toward a digital FDLP since 1995 when Congress made its intention clear that they wanted assurances of “substantial progress toward maximum use of electronic information dissemination technologies by all departments, agencies, and other entities of the Government with respect to the Depository Library Program and information dissemination generally.”<sup>1</sup> Transforming the FDLP to all-digital will be one more incremental change continuing a long-standing trend in GPO’s work.

The GPO/LSCM Working Group’s conclusion is that the FDLP certainly can go all-digital. As discussed below, each organizational element of the GPO and LSCM that supports the FDLP already has procedures, tools, and staff in place that can handle producing, describing, and accessing digital Government information for the FDLP community. However, there are challenges regarding an anticipated increase in volume should digital formats become the preferred ones as well as the need for augmenting measures to ensure the preservation of Government information for archival purposes.

*Should* the FDLP go all-digital is a more nuanced question that raises some challenges for the GPO and LSCM. It is apparent that there is a need to improve a system that effectively carries

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<sup>1</sup> See Public Law 104-53, Legislative Branch Appropriations Act, 1996. Also see, Report to Congress, “Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program; as Required by the Legislative Branch Appropriations Act, 1996.” GPO Publication 500.11, June 1996.

out the FDLP's mission to provide no-cost, reliable access to Government information. The present method by which Federal agencies provide GPO with documents and information for distribution to the FDLP is inconsistent and at times duplicative.

## **Impact on LSCM**

With the implementation of an all-digital FDLP strategy, one area of potential impact on GPO and LSCM is infrastructure, specifically, the technological systems and services that manage, organize, and preserve born-digital and digitized Government information and publications.

Conversations were held with several key stakeholders in the LSCM and Programs, Strategy and Technology (PST) business units to elicit understanding and highlight key areas of impact.

### ***Systems and tools***

Staff and capacity building for digital content has been in place for some time at GPO and LSCM. During interviews with stakeholders, however, concerns were expressed about increasing efforts to focus on digital preservation and digital services, including in areas of both staffing and training, as well as in selection and maintenance of systems and tools to support these efforts.

Currently, there is a balance of workflows and staffing between print and digital formats. If there were no more tangible documents, the work would shift to primarily digital processes, along with more time spent working on discovery of born-digital content, and this may prompt a need for tools and systems that expedite acquisitions and cataloging work. Long term, there may be an increased need for fewer systems that interoperate and interface with each other, thereby enhancing productivity and efficiency of business processes. Ideally, more staffing would be targeted to enhancing data, customizing data products for libraries, and working with agencies to provide access to born-digital content. This would necessitate support of systems and tools such as the next-generation Integrated Library System (ILS), as well as support for future tools and services. Examples include curation tools to manage digital holdings in the context of a lifecycle management approach; the development of a new collection data tool that would be a collection management service for depository libraries; and requirements gathering and future redesign of [DSIMS](#), which are essential for both LSCM and the FDLP.

### ***Network capacity***

Infrastructure and services are in place to build capacity as demand increases. Both PST and LSCM have identified areas to continue building as an all-digital environment grows. Additional storage needs, Infrastructure-As-Service (IAS) solutions to hosting systems in the cloud, development of both in-house and contracted expertise, and scalability of requirements and tools to reflect diverse needs are a few such areas that are already being addressed and would continue development if an all-digital FDLP is implemented.



## **Scalability**

Any long-term planning for an all-digital FDLP will require scalability of efforts, the development of flexible systems, and the customization necessary to support business processes. Since the needs of GPO and LSCM may vary in some respects from that of the library community, the need for custom development work on tools will require a balancing of priorities between LSCM workflows and the need for scalable solutions for the FDLP community. The move from print to digital workflows will impact the development and maintenance of tools, both current and future. System and platform consolidation are part of the current plan, as are the need to explore other technology and tools to save time and increase productivity. Options could exist externally to GPO and LSCM and should be considered if appropriate.

## **Authenticity and security**

[GovInfo](#) is GPO's trusted and authentic standards-based preservation repository and is an [ISO 16363<sup>2</sup> certified digital repository](#). As such, it reflects GPO's ongoing commitment to the mission of ensuring long-term access to Government information. However, roadblocks continue to exist, such as the lack of compliance of other Federal agencies to submit their content for ingest into the repository.

## **Training**

Continuous learning and re-training are part of the current work of all LSCM units, though individuals may participate in more or less continuing education based on role. Unit chiefs (and managers in Projects & Systems) reported that training and education were an existing part of the work in which their staff participate. Some managers suggested that making digital workflows the norm and print the exception could improve staff expertise and efficiency. It may be necessary to increase the number of staff to continue existing work while increasing staff skills, though some managers suggested that a combination of attrition and subsequent new hires could provide the right mix of skills for LSCM to excel at digital work.

Training needs for depository library staff are highlighted elsewhere in this report. LSCM's Federal Depository Support Services unit has training and education of depository staff as a key component of their existing work. Demands for their training services may increase as libraries transition to a new model.

## **Program Administration**

The transition to an all-digital FDLP will require a number of adjustments to GPO's administration of the FDLP, though not all areas will experience substantive changes (see Appendix: Impact on GPO, Library Services & Content Management for further detail):

- The biggest impact will be upon those who work exclusively on or primarily with tangible documents and who will not be able to easily convert their skills to a digital world. The Chief of Library Technical Services (CLTS) indicated that all cataloging is virtually

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<sup>2</sup> International Standards Organization "16363:2012 Space data and information transfer systems — Audit and certification of trustworthy digital repositories."



identical for digital or tangible materials, and that much of the infrastructure is already in place to handle digital formats. The CLTS also speculated the transition to an all-digital FDLP may increase the demand for retrospective digitization.

- The Chief of Federal Depository Support Services (CFDSS) indicated that a switch to an all-digital FDLP will eliminate some issues regarding tangible formats, but not eliminate them altogether, and that the elimination of tangible formats may also encourage depository library coordinators to reconsider their collections. Authentication, security, and preservation will take on increased importance for libraries and end users. GPO's Preservation Librarian, Digital Preservation Librarian, and an Archives Specialist indicated that their departments already have processes and programs in place to maximize their missions to preserve and archive Government information, including preserving tangible formats of historical materials, and state-of-the-art digital preservation. GPO is working with state-of-the-art tools and practices to preserve these materials in both formats. At present, FDLs provide a nationwide collection of tangible materials. In an all-digital FDLP, it is not clear what an individual depository library's responsibility will be with regard to preservation.

## **Survey of LSCM Personnel Regarding an All-digital FDLP**

The working group surveyed LSCM personnel to determine their thoughts on an all-digital FDLP and how their jobs might change if the FDLP becomes an all-digital program (see Appendix: Impact on GPO, Library Services & Content Management). Findings from the survey indicated that:

- While a majority of the respondents indicated that they had some reservations about an all-digital FDLP, a number indicated that they liked the concept of an all-digital FDLP. Respondents were split between accepting and liking the idea of an all-digital FDLP and having reservations, being unsure, and not liking the idea of an all-digital FDLP.
- Most respondents indicated that an all-digital FDLP would change their job functions, however, some did indicate that their jobs would not change. Those who reported that their job functions would change had areas of responsibility that included outreach/support, preservation/archiving, and cataloging/classification/metadata. Those who reported that their job functions would not change worked in areas such as web services, contract management, cataloging/classification/metadata, and acquisitions. Those who believed their job would change indicated they no longer would have tangible publication responsibilities, and they recognized the need to review processes and revamp systems. The overlap in functional areas such as cataloging/classification/metadata may be attributable to the dual print and digital environments that currently exist within the FDLP.
- Concerns raised by respondents about an all-digital FDLP included lack of incentives for libraries to remain in the FDLP if it is all-digital, the challenge of demonstrating the value of an all-digital FDLP, transitioning tangible materials to digital formats, and apprehensions about the perceived lack of value of the tangible legacy collections held in FDLs.

## Impact on GPO

The FDLP has been under the authority of the GPO since 1895. Publications have rolled off the printing presses and conveniently into the boxes shipped to depository libraries. Over time, other formats were added to the FDLP: microfiche, CDs/DVDs, and now online dissemination.

There are three channels through which the production of depository tangible materials flow (see Appendix: Impact on GPO, Library Services & Content Management for detailed analysis):

- **GPO's Official Journals of Government (OJG) business unit and GPO Plant Operations:** OJG provides support services to Congress and its committees regarding the printing, binding, and provision of digital information products required for their operations. In general, the data shows a gradual decline in title distribution to FDLs, with an estimated 30 percent decrease since FY 2016.
- **Customer Services requisitions:** The majority of the Federal Government's printing needs requisitioned through GPO are contracted out to private sector commercial printers through the Customer Services (CS) business unit. Of the CS jobs thus far this fiscal year, LSCM ordered additional copies for FDLP distribution for less than 1 percent of these orders.
- **Microfiche Reformatting and DVDs:** The distribution of microfiche is in the process of being phased out as most of those titles are accessible from [GovInfo](#). The last two microfiche contracts to be discontinued by LSCM will be the Federal Register and the List of CFR Sections Affected, which will cease at the end of CY 2022, and the daily Congressional Record, which will cease at the end of the 117th Congress. The number of DVDs has decreased substantially. The current largest agency producer of DVDs distributed through the FDLP announced at the beginning of the COVID-19 pandemic the discontinuation of one of its major DVD titles, electing to make the data available through the use of APIs on their website.

Overall, the number of printed materials are on the decline, both in terms of production by agencies and selection by depository libraries:

- The "List of Classes of U.S. Government Publications Available for Selection by Depository Libraries," commonly known as the [List of Classes](#), contains item numbers from which depository libraries can select what they want to receive. Some item numbers are for a particular title or series, while others are for groups or types of publications, for example, "Handbooks, Manuals, Guides" or "Laws." Today there are nearly 7,000 items for online content and about 2,400 for paper. The current number of paper selections by libraries varies widely from fewer than 50 libraries selecting an item to a high of 715.
- Print distribution to FDLs has drastically decreased since 1996 when GPO submitted its report to Congress, "[Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program.](#)" In fiscal year 1995, print titles numbered 17,466, with a corresponding 7,162,418 copies sent to FDLs. Fiscal year 2021 saw 2,708 print titles, with 474,139 copies distributed. Further, the Superintendent

of Documents' appropriations earmarked for printing has dropped by about 50 percent since 2007, from almost \$10.5M to \$5.2M.

### ***Costs associated***

While the shift to an all-digital FDLP may reduce costs in more traditional areas of the program, the shift brings with it new or increased costs in other areas such as ensuring the accuracy of digital information through proofreading materials in the Proof Room (Halpern, 2022).<sup>3</sup> GPO's FY 2023 Budget Justification included a proposed appropriation increase of \$5,355,000 over the amount requested in FY 2022, in part due to costs associated with digital resources and services. Even with this requested increase, the total appropriation would still represent an overall 11 percent reduction from GPO's FY 2010 appropriation.

### **Conclusion**

Members of the Impact on GPO and LSCM Working Group agree that the FDLP can become an all-digital program and that the FDLP's future should be all-digital. Explicitly adopting an all-digital vision for the future with a well-planned, strategic, phased implementation will allow programmatic changes now that move the FDLP – and the partner depository libraries – forward efficiently while maintaining the program's effectiveness.

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<sup>3</sup> Testimony of GPO Director Hugh Nathaniel Halpern before the Select Committee on the Modernizing of Congress Hearing entitled the "[Modernizing the Legislative Process](#)"

## E. Title 44, Legislative and Policy Issues

Working Group Leader: Shari Laster

Working Group Members: Cynthia Etkin, Richard Leiter, Stephen Parks, Judy Russell

### Summary

The Title 44 Legislative and Policy Issues Working Group (Title 44 WG) focused its work on answering the questions from the perspective of the current legislative and policy structures governing the FDLP: Can we go all-digital, and Should we go all-digital? The Title 44 WG concluded that we can and should go all-digital, however, legislative and administrative policies should be revised to fully realize an all-digital FDLP.

### Introduction

The Title 44 WG explored potential changes to legislation and policy that would enable or support an all-digital FDLP. The working group also set forth to make recommendations regarding the feasibility of an all-digital FDLP, from the perspective of current legislation and policy. The Title 44 WG focused its efforts on: 1) Statutory law affecting the FDLP and related GPO operations (Title 44, Chapters 17, 19, and 41), and 2) Statutory law and administrative directives affecting Federal agency requirements and practices for information dissemination.

While GPO's administrative directives and [Superintendent of Documents \(SOD\) policies](#) have a primary impact on the FDLP, such directives and policies are within the control of the agency and developed and revised to accomplish the goals of the program. The observations and recommendations in this section presuppose that GPO updates SOD policies within the limits of relevant policy to achieve desired outcomes.

Based on the Task Force consensus draft definition of an all-digital FDLP, the Title 44 WG operated under a number of assumptions regarding how an all-digital FDLP would work in practice (see Appendix: Title 44, Legislative and Policy Issues). The Title 44 WG acknowledges that the prioritization of digital dissemination is far from a new development and is generally preferable in terms of meeting immediate public access needs.

## Title 44

### Background

[The Depository Library Act of 1962](#) established the modern FDLP, and by-law depository library designation expansions in 1972 and 1978 further shaped the program into its current form. In 1993, the [GPO Access Act](#) authorized a "directory, system of access, and electronic storage facility," allowing for the expansion of the FDLP's scope to include digital publications. In 2014, the agency name and directorial title were changed as part of a consolidated appropriations act. Attempts by Congress at modernizing [44 U.S. Code](#) (Title 44) in 2017 and 2018 did not result in updated legislation. The current legislative authority for the FDLP is in need of revision, given that the framework for the FDLP reflects information access needs from more than 60 years ago, and its most significant modernization reflects the technology of 30 years ago.

## **Updating needs**

The Title 44 WG reviewed [GPO's 2022 legislative proposals](#)<sup>4</sup> for revisions to 44 U.S. Code §§1901-1916 (Depository Library Program) to assess the extent to which these proposals address necessary changes needed in the program, whether or not there is a significant move toward an all-digital FDLP. Generally speaking, the 2022 proposals would codify current practices, update provisions, and incorporate OMB guidance and requirements.

The Title 44 WG concurred with all proposed changes in GPO's legislative proposals as the very minimum needed to modernize the FDLP, even without prioritizing digital access to content. One of the mechanisms already in use by GPO, the establishment of a [National Collection](#), is useful to advance the content priorities for an all-digital FDLP. The [National Collection](#) is already presumed to be both tangible and digital, however, GPO's efforts to encourage cooperation with agency partners are hampered by reference to current legislative language that seems to exclude digital formats from the FDLP (e.g., the definition of Government publication in §1901).

## **All-Digital FDLP needs – FDLs and GPO**

Access to metadata is essential for an all-digital FDLP. The [GPO proposals](#) would create an expanded Cataloging & Access Services program in Chapter 19 of Title 44, with the [CGP](#) serving as a union list for depository holdings. The Impact on Federal Agencies Working Group proposal that the [CGP](#) serve as a central metadata hub for agency repositories might be in tension for purposes of implementation, but both are plausible as potential components of maintaining a "Government-wide bibliography" with neutral format and infrastructure specifications.

Several working groups assumed the continuation of print distribution at some level, with a particular focus on publications needed for legal citation purposes. Other than the U.S. Code and its supplements, and congressional publications,<sup>5</sup> statutory requirements to print for major legal titles do not explicitly require distribution to FDLs. The Title 44 WG agrees that it is prudent to maintain publications that are required to be available for depository distribution in accordance with an SOD policy rather than as an updated statutory requirement.

The Impact on Federal Depository Libraries Working Group suggests adding additional types of FDLs beyond regional and selective depositories. GPO explored concepts around varying library capacity to provide access to electronic information resources in its 1996 report on restructuring the program and, in part, as a response to issues raised in the [2013 National Academy of Public Administration \(NAPA\) report](#), "Rebooting the Government Printing Office: Keeping America Informed in the Digital Age" (NAPA, 2013). Current GPO practices already incorporate voluntary FDL roles for which there are signed agreements such as [Preservation Stewards and Digital Access Partners](#), which do not involve congressional designation.

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<sup>4</sup> The February 2022 revision reflects updated terminology for "unreported documents," based on a March 2021 agency decision. The revised version of the proposals also clarifies that libraries may join the program without accepting tangible materials. This followed public feedback about GPO's 2020 proposals that streamlined the role of a state library in the designation process, which had created a lack of clarity as to what the Superintendent of Documents would need to verify to approve designation. U.S. Government Publishing Office. "Government Publishing Office's Legislative Proposals for Chapter 19." February 28, 2022. [<https://www.fdlp.gov/file-repository-item/government-publishing-office-legislative-proposals-chapter-19-february-28-2022>] accessed August 14, 2022.

<sup>5</sup>See Table 1 Statutory language related to printing and dissemination in Title 44, Legislative and Policy Issues Appendix

The state and congressional district basis for designation is a political necessity for the program. However, FDLs already form collaborative relationships that cross political boundaries, and thus there is a need to ensure that various types of potential interlibrary agreements to be facilitated by GPO fall within the express permissions granted by the legislative proposals, including agreements relating to access services, metadata creation, digitization, and preservation.

Regardless of the final model for an all-digital FDLP, the mission to expand access to Government information through FDLP participation is limited by rules within the designation process. Both current legislative language and the GPO proposed updates maintain the current designation process, which provides for a maximum of up to two designated FDLs per congressional district (or two regionals per state, as senatorial designations). This means that a library wishing to participate in the FDLP in a congressional district that already has two depositories (or more, when redistricting has changed historical political boundaries) has no means to join. Conversely, some FDLs are leaving the program due to the existence of another FDL in close proximity.

In a print-centric world, the limit of two depositories per district was a sensible measure to contain costs associated with distribution. With more digital content and services, however, the marginal cost for added program participants is significantly lower. Options include the addition of a new type of designation that may be made with congressional concurrence to provide digital and in-person services to the public without receiving print deposits or the creation of a new, non-congressionally designated member network that exists in companionship with the current FDLP.

In addition, there is a lack of clarity for the management of existing print collections. According to a 2012 Congressional Research Service (CRS) report, "[Federal Depository Library Program: Issues for Congress](#)," the assertion that Government publications are Federal property is made by GPO on the basis of provisions of the Depository Library Act of 1962.<sup>6</sup> GPO's proposal to explicate this in Chapter 19 would formally establish the agency's authority to continue to provide oversight for collections previously distributed to libraries, which would aid in the long-term management of these collections for preservation and access purposes. For libraries accepting digital publications on deposit<sup>7</sup> from GPO, their responsibility to manage the files following GPO's instructions should depend on Memorandums of Understanding (MOUs) between the libraries and GPO, following similar practices to licensing copyrighted content.

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<sup>6</sup> See margin note, 76 STAT 355.

<sup>7</sup> Digital deposit has at least three potential modes: 1) Libraries submitting unreported publications to GPO for inclusion in the National Collection; 2) Libraries accepting digital files from GPO and managing them for access and preservation under the agency's directions; and 3) Federal agencies submitting files to GPO for inclusion in the program. The first and third are already clearly explicated in GPO's proposals. For the second, NARA has legal custody of content in GovInfo, but not physical custody, [per its MOU with GPO](#).



# Review of Existing Statutory and Administrative Law Governing Access and Dissemination of Government Information Products

## Overview

The Title 44 WG researched existing U.S. statutory and administrative law governing printing, dissemination, and access to Government information<sup>8</sup> to identify potential conflicts with an all-digital FDLP. The research incorporated both print dissemination and open Government requirements. Federal agencies continue to utilize print for certain dissemination needs, albeit on a much smaller scale, since the last modernization of the FDLP in the mid-1990s.

## Statutory Law

In order to determine possible revisions or new provisions necessary for an all-digital FDLP, the Title 44 WG first studied [Depository Library Program, 44 U.S.C. §§ 1901-1916](#), and researched existing codified statutes beyond the FDLP. The results were profuse and varied in their language, for example:

- In accordance with [44 USC §1102](#), the head of an executive department, or of an independent agency or establishment of the Government may cause to be printed, and the Director of the Government Publishing Office may print documents, if they are authorized by law and necessary to the public business.
- [Section 501 of Title 44](#) requires GPO to do all printing for Congress, the Executive Office, the Judiciary (except the Supreme Court of the United States), and every executive department, independent office, and establishment of the Government.
- Some agencies, Government establishments, and research programs are explicitly exempted from [§501 provisions](#) in their own authorizing legislation or by obtaining a waiver. An example is the National Sea Grant College Program ([33 USC §1123\(c\)\(4\)\(C\)](#)) administered by NOAA. Many agencies and research programs are required to disseminate information to their audiences; however, with the requirement to distribute through the FDLP mostly limited to the provisions of [Chapters 5 and 19 of Title 44](#),<sup>9</sup> FDLs are a secondary outlet for agencies to reach their audiences.

The Title 44 WG examined statutory language related to the printing and dissemination of certain titles as well, including United States Code and Supplements, Code of Federal Regulations, Federal Register, Supreme Court Reports, Congressional Record, and others (see Table 1 in Appendix: Title 44, Legislative and Policy Issues).

Since 1993, with the passage of the [GPO Access Act](#), Congress has increasingly recognized digital and internet accessible Government publications. In its [1996 appropriations act](#),<sup>10</sup>

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<sup>8</sup> While GPO's print authority is outside the scope of the Task Force, Public Information Programs such as the International Exchange Program continue outside the purview of the FDLP, and the Superintendent of Documents' responsibility for these programs is independent of GPO's continued requirement to serve as the publisher for Congress.

<sup>9</sup> Historically, the lack of an official source for most judicial opinions that were issued in print, including federal circuit and district court publications, is entangled with copyright. With minimal centralized publishing requirements for federal courts, commercial publishers have filled the gap from the common law system, which relied on lawyers to share opinions amongst themselves. Today, the U.S. Courts Opinions Collection is one of the most used collections in GovInfo, but the content generally only goes back to 2004.

<sup>10</sup> See Section 210, P.L. 104-53 (November 19, 1995), 109 STAT. 533

Congress specified that GPO “assure substantial progress toward maximum use of electronic information dissemination technologies by all departments, agencies, and other entities of the Government with respect to the Depository Library Program and information dissemination generally.” Table 2 in the Appendix for this section identifies additional initiatives and legislative actions related to digital Government information.

### ***Administrative Law***

Virtually all presidential directives, memos, and orders that deal with Federal agencies’ obligations to publish Government information specify a clear preference for digital information. An early statement of this preference is laid out in the [National Commission on Libraries and Information Science \(NCLIS\) report of 2001](#), “A Comprehensive Assessment of Public Information Dissemination, Final Report” which defined Government information and the tools necessary to distribute information to citizens. This report articulated in part that Government information is a strategic resource and that with the rise in access to the internet and access to digital information, agencies are obligated to make their information available in the most convenient format available.

Last updated in July 2016, [OMB Circular A-130](#) is the definitive executive branch statement regarding the responsibility of agencies to electronically publish the information that they are responsible for producing. The Circular:

- Deems information a “strategic national resource,” reflecting a well-established policy that combines the mission of the FDLP with the concept of Open Government to make free, useful access to Government information by citizens a necessary feature of participatory Government.
- Is a reflection of nearly two decades of evolution of Federal Government information policy. Beginning in the early 2000s there have been a series of reports and executive directives that instruct Federal agencies to share their information with the public, both to serve the goals of Open Government, and incidentally, to serve the goals of the FDLP to make Government information accessible and freely available to citizens. Table 3 in Appendix: Title 44, Legislative and Policy Issues summarizes key Federal information policy directives for Federal agencies.

Taken all together, there is a strong, clear Federal Government policy for all branches of the Federal Government to make their information available to the public; they are further directed to prefer collection, preservation, distribution in digital formats in order to make them as widely available as possible and as useful as possible.

### ***All-Digital FDLP needs – Federal agencies***

In 2018, the Federal Research Division (FRD) of LC produced a report on behalf of GPO, [“Disseminating and Preserving Digital Public Information Products Created by the U.S. Federal Government: A Case Study Report.”](#) The FRD report determined that agencies often interpret Chapter 19 of Title 44 as applying only to print publications and further misunderstand the National Archives and Records Administration’s (NARA’s) preservation role as being



comprehensive. Of the small number of agencies that understood the need to participate in the FDLP, the majority stated that doing so would require an easy or automated process that is not labor intensive. Collaboration will ultimately require cooperation rather than mandates.

The Title 44 WG proposes exploration of three pathways to increase agency engagement through assigned roles (see Table 4 in Appendix: Title 44, Legislative and Policy Issues for further details):

1. The current use of print officers as designated liaisons to GPO for Federal acquisition purposes<sup>11</sup> suggests the value in having a similar role tied to dissemination, rather than to procurement. A helpful model to consider is that of records management officers,<sup>12</sup> who are responsible within agencies to implement their records management programs.
2. As noted in the [2013 NAPA report](#), Congress has the authority to create an interagency group for Government-wide information policy and to create a cross-agency (and cross-branch) organization to collaboratively coordinate this work.
3. Instigate a voluntary network to oversee Federal information lifecycle management, potentially in collaboration with OMB.

[The FRD report](#) recommended that GPO provide an interagency forum<sup>13</sup> or workshop for agency stakeholders to communicate about requirements related to the Superintendent of Documents programs, and that GPO recommends that OMB release a detailed memorandum<sup>14</sup> on the FDLP provisions of Title 44. Although the FDLP is a network of libraries mandated by statutory provisions, the creation of a voluntary network of Federal agencies may produce a more active, cooperative approach for agencies that choose to participate.

## Conclusions

### *Feasibility under current law*

The challenges for GPO to guarantee permanent public access to born-digital Federal Government information are too profound to assume that success can be achieved under the current version of Title 44. Steps can be taken toward an all-digital FDLP, however, legislative change is needed to reflect the GPO proposals for a more effective and robust FDLP for generations to come. The primary mandate of the program to ensure permanent no-fee public access to Government information should be updated to reflect the revolutionary changes in information lifecycle management necessitated by the digital era in which we find ourselves.

### *Feasibility of proposed revisions*

Whether the proposal in question brings the legislative authority for the FDLP up-to-date with existing practices, modernizes the FDLP to reflect the current landscape, or truly transforms the FDLP to achieve permanent no-fee public access to digital content and related services, is less

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<sup>11</sup> See 48 CFR 8.802(b).

<sup>12</sup> See 36 CFR 1220.34(a).

<sup>13</sup> [The Federal Publishing Council](#) is an advisory group to the GPO, and its predecessor organization dates from 1976. LSCM's Collection Development Librarian attends these meetings and has presented to the advisory group about the FDLP, agency requirements, and other topics of interest to the group.

<sup>14</sup> For an earlier example, see [OMB Circular A-130](#) (1994 revision), 59 FR 37906, particularly 37922ff.

relevant to its potential feasibility. What matters is that stakeholder communities generally agree that the proposals will improve GPO's ability to achieve its mission for the public good. Assuming bipartisan support for the changes, the primary challenge remains elevating the proposed revisions as a priority to key congressional staff, so that the legislation can be accomplished at the member level. Table 5 in Appendix: Title 44, Legislative and Policy Issues articulates potential approaches to changing the FDLP in practice.

### ***Limitations***

The Title 44 WG identified significant limitations to the scope of its potential recommendations. The Title 44 WG acknowledges that the potential impact of any particular legislative language is subject to interpretation, meaning that we can only work with our best interpretation of GPO's proposed changes to its own governing authority.

Critically, both the current FDLP and an all-digital FDLP would equally benefit from enforceable requirements on Federal agencies to disseminate information products that meet appropriate standards for lifecycle management and to cooperate with GPO on long-term access programs. However, separation of powers prevents legislative branch agencies such as GPO from encroaching on the authority of executive branch agencies, further making it more unlikely that any reauthorizing legislation would allow GPO to impose requirements on executive branch agencies.

## F. Strategic Framework and Implementation

Working Group Leader: Scott Matheson

Working Group Members: Betty Decker, Judy Russell, Jim Gillispie, Steve Rollins, Kate Pitcher

Implementation of an all-digital FDLP will require careful consideration and stakeholder consultation in key thematic areas, including:

- Preservation of existing and any continuing tangible collections and preservation of born-digital collection materials.
- Expansion of efforts to digitize legacy tangible collections, facilitating access to digital information in partner libraries, and providing a mechanism for a limited selection of tangible publications to continue where required by statute, regulation, or demonstrated patron need.
- Development of a comprehensive plan for describing and caring for existing (and any continuing) tangible collections, including the mandated copies within each [National Collection Service Area](#) to enable appropriate redundancy and ensure permanent public access.
- Analysis and understanding of direct and indirect costs to GPO, and support for bearing those costs solicited. Costs and savings to libraries and agencies also need to be considered, including unintended changes in participation by libraries and in publishing activity by agencies.

Several large-scale information programs have transitioned to all or primarily digital models in the past decade. Brief case studies identify potential strategies and good practices. Finally, change management tactics are identified that can inform planning for transitioning to an all-digital depository program.

### Preservation

An actionable plan for long-term preservation of both tangible and digital FDLP assets is critical for the overall success of an all-digital FDLP to maintain access for future generations. The plan must take into consideration the miles of shelf space in hundreds of FDLs dedicated to housing materials that have important historical value and seek to collaborate with libraries to catalog, preserve, and manage these collections, including deaccessioning, digitizing, or transferring to GPO or other libraries where appropriate.

As tangible collections will remain in depository libraries for the foreseeable future, GPO should:

1. Help develop collaborative agreements among libraries for shared housing of tangible collections.
2. Help develop an accurate inventory and understanding of library holdings.
3. Develop a plan to ensure permanent public access in the event of natural or human-caused disaster.
4. Develop a comprehensive strategy for the preservation of FDL legacy and print collections.

5. Expand efforts to engage librarians on the care, repair, and conservation of tangible collections, including taking on key parts of this work where libraries are unable.

GPO should articulate a detailed plan and proposed timeline for the digitization of current tangible documents. Creation of digital surrogates should be prioritized for high demand fragile materials. There must be a plan to provide long-term preservation and access that draws on the strengths of the FDL system. GPO has a robust system of access in [GovInfo](#) including compliance with [ISO 16363](#) and preservation and authentication of digital objects for permanent public access. This system should be leveraged to ensure the long-term value of digital collections and as a hub for partner libraries to contribute materials to the digitization effort and to develop their own collections as desired.

GPO needs to expand its capacity to identify, describe, and preserve digital information produced by the Government that is never printed. The bulk of Government information produced falls into this born-digital category, and GPO has workflows in place to capture some of it, but much is never reported by the publishing agencies and therefore not included in the [National Collection](#). Collaborative agreements with publishing agencies are necessary to capture more digital information, and can be made with libraries to expand work to identify these materials and add them to the [National Collection](#) for discovery, preservation, and permanent public access.

As GPO transitions to an all-digital depository program it is vital for GPO to renew its commitment to the preservation of tangible and digital collections. However, since GPO's own collection is not comprehensive, it will need to continue to work in partnership with libraries. GPO should renew its call to libraries for participation in collaborative programs and consider how to offer incentives for participation in cooperative efforts such as the [Preservation Steward program](#) and the recently announced [Syracuse University Preserve-on-Publication program](#). News and guidance from [GPO's Preservation program](#) should be reviewed and updated as needed and the content promoted to library partners.

### ***Managing existing tangible collection***

Even as legacy tangible collections are digitized for greater access, there is a need to continue managing collections in FDLs and to complete a comprehensive collection for GPO as contemplated in the newly released "[National Collection of U.S. Government Public Information Strategic Plan for FY 2023 – FY2027](#)" (September 2022). The tangible materials distributed via the FDLP constitute an essential corpus of Government information that is accessible to the public at no cost. Managing, curating, and preserving some number of tangible copies is an essential component of the [National Collection](#) and one in which the GPO has historically played a lead role in partnership with FDLs, Government agencies, and other stakeholders.

In recent years, the rate at which libraries have been weeding print collections has grown significantly, along with the concern that some older Government published content may be at risk of being lost. [The National Collection strategic plan](#), and the work of this Task Force, have identified a number of issues that need to be addressed as we move toward an all-digital FDLP. These issues include:

- Identifying the long-term role of the GPO concerning tangible Government publications once the content is digitized and ingested into [GovInfo](#). Under the current plan, GPO must maintain at least four geographically-dispersed copies of the collection spread among FDLs with print-retention or [Preservation Steward agreements](#). GPO should also maintain a fifth copy by completing the collection currently at NARA and supplementing it with copies offered for discard by FDLs. Recognizing that GPO needs additional resources to identify and rescue at-risk print titles and store them for later digitization and ingest into [GovInfo](#), this will also require increased efforts to add legacy publications to the [CGP](#) using the contemporary definition of publication.
- Working with FDLs and other organizations to prioritize the digitization of print content to avoid unnecessary duplication of efforts.
- Facilitating access to legacy print collections in FDLs by enhancing the [CGP](#) to serve as both a comprehensive retrospective bibliography and a union catalog for the discovery of Federal Government information in physical and digital formats.

## **Permanent Public Access**

Preserving effective permanent public access to the Government information in the FDLP in an all-digital program requires both immediate and longer-term changes. Taking the actions described below will help ensure a robust FDLP as well as future access to Government information for all users.

### ***Legal requirements mandating access to print copies for some users/uses:***

Action Items:

- Short term: Identify titles that mandate the availability of print copies by law. For these titles, continue offering print options until such date when legislative changes are enacted.
- Long term: Promote legislative and regulatory changes that allow born-digital or digitized copies to be considered as equal to print copies.

### ***Acquisition and discovery of digital publications:***

Action Items:

- Explore methods that GPO can use to automate the acquisition of agency digital content so that content originators can effortlessly comply with Title 44 requirements to include their digital products in the FDLP.
- Implement priorities and procedures that ensure quick turnaround of cataloging and metadata records for digital content that meet the latest library community standards for discovery.
- Build upon GPO's experience with persistent locators (e.g., PURLs) to incorporate the benefits of Digital Object Identifiers (DOIs) into the content GPO adds to the National Bibliography which can identify the authoritative digital object and provide context in the event it is moved or presented in a new way (e.g., the website went away, explain this is a copy).

- Enhance the FDLP guidance documentation to promote the essential role that trained and knowledgeable library staff play in providing access to Government information. Underscore the [FDLP Academy](#) as the program's primary teaching and learning tool for implementing best practices for Government information access.

### ***Converting legacy FDLP print collections into digital documents:***

#### Action Items:

- Identify the role that the GPO will play in the digitization of print materials distributed through the FDLP.
- Build upon the strengths of GPO's proven, collaborative, digitization projects; expand and operationalize that activity as a core component of the FDLP's mission.
- Develop a coordinated strategy that draws on the strength of GPO's partnership with FDLs to prioritize titles for digitization.

### **Cost in General**

In the current FDLP, costs associated with the acquisition and dissemination of Government information products include the production of Government information in all formats, staff time and labor involved in cataloging, metadata work, web harvesting, training, outreach, and system development and maintenance. For tangible materials, costs also include warehousing, inventory control, and shipment of materials to FDLs. Costs borne by the depository libraries include processing and maintenance of tangible materials, discovering and curating content and metadata, and cataloging of documents. Depending on methods used to catalog materials, depositories may have costs associated with their participation in the [Cataloging Record Distribution Program](#) and batch uploading of catalog records by staff, or may be bearing the entire cost of creating and loading cataloging records themselves. The end-of-lifecycle tangible costs include the withdrawal and disposing of collections no longer useful or superseded by more current material. These costs are borne by both depository libraries and GPO staff.

With a move to an all-digital FDLP, the Task Force working groups identified and investigated several areas of potential impact on the provision of FDLP services and program administration. These detailed analyses are in the Appendix to this section.

Broadly, while some changes to the FDLP will result in cost savings (e.g., on printing and distribution for GPO, processing staff for FDLs) the requirements for implementation will likely increase costs to GPO, at least temporarily, requiring increased appropriations (see Tables 1-5 in Appendix: Strategic Framework and Implementation for detailed information regarding cost considerations for an all-digital FDLP).

### **Other depository programs' changed models**

Other government (and non-governmental organization) information producers have or have had depository library programs in the past, many modeled on the FDLP. Many state governments also have or had programs for distributing their information to constituents. Many of these programs have ceased distributing print, either because they consciously changed to



all-digital models or because their governments stopped producing print materials for them to distribute. Table 6 in Appendix: Strategic Framework and Implementation identifies some examples, with parallels to and differences from the FDLP and the U.S. context. Key takeaways from these examples include:

- Preserve the community of practice. Networks such as the FDLP that have been built up over time create a valuable community of practice with expertise, knowledge, and training that should not be lost in the transition to a digital environment.
- Ensure a planned transition. Should the FDLP transition to an all-digital program, there is a need to communicate to all partners and stakeholders what will happen and when, for example, with remaining print materials in GPO's possession.
- Review, assess, and adopt best practices. Canada's Depository Services Program, for example, developed an online [weekly acquisitions list](#) that provides record, availability, and locator information.

## Change Management<sup>15</sup>

To successfully go all-digital, GPO will need to clearly articulate a vision for what the program will look like after the change. This Task Force report, in combination with the recently released "[National Collection of U.S. Government Public Information Strategic Plan for FY 2023 - FY 2027](#)," can serve as a way for GPO to engage broadly with stakeholders and develop a coalition for championing the proposed change.

### ***External to library community***

Other depository programs that made similar changes emphasized the importance of clear and consistent communication to their library partners.

- Define for the community the [National Collection](#), identifying the myriad different components: existing print collections in depositories; preservation-committed print titles in depositories and at NARA; digitized legacy titles in [GovInfo](#) and partner sites; born-digital captured publications in web archive, permanent.gpo.gov, and [GovInfo](#); and remaining tangible distribution (either to be phased out or to be very selectively continued where appropriate).
- Communicate this model for the collection early and often, while explaining the vision for the future-state all-digital program.

Inviting broad participation in the FDLP will increase acceptance and ownership of the change among stakeholders. Provide simple, low-cost ways for stakeholders to participate in the change, for example, as [Preservation Stewards](#), as expert guide creators, or peer trainers. Providing opportunities for these actions, and highlighting early successes such as existing all-digital depositories, will help stakeholders both accept and take some ownership of the change.

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<sup>15</sup> Drawn chiefly from McAllister, *Change Management for Library Technologists: A LITA Guide* (Lanham, MD, Rowman & Littlefield, 2020.)

### ***Internal to GPO***

A survey of LSCM staff indicates that the workforce largely understands that the program they support has been changing over the years and will continue to become more digital-focused over time. This presents an opportunity for engaging these key stakeholders in the change process. Devising methods for them to understand the vision for the all-digital program and provide input on the process will begin to help them answer the question, “How will this affect me?” Engaging staff on what training they need, as recommended in the [National Collection Strategic Plan](#), and supporting ongoing assessment and development will help staff take ownership of the change and make the program changes part of their culture.

Early and frequent communication with internal GPO stakeholders beyond staff will also be important to socialize the changes in the program. Bargaining units representing affected LSCM staff should be briefed on the proposed changes and consulted on the impacts of the change. Similarly, Congressional Affairs and Public Relations staff will need to fully understand the changes and how they impact their audiences.

### ***External to agency publishers***

Working to make the change to an all-digital FDLP part of the culture of agency publishers will result in more buy-in and a more comprehensive collection of documents with less effort from GPO. The existing [Federal Publishing Council](#) (FPC) can be consulted on ideas raised in this report about reframing GPO liaison work from print acquisitions focused to digital public information focused. Changing or adding agency liaisons to the staff currently doing public information work, as noted in the [FRD 2018 report](#), will help embed knowledge of GPO’s role in lifecycle management of Federal information. The community of agency information officers may have other ideas on how best to work with GPO; abundant communication with these key stakeholders is a prerequisite for successful change.

These change strategies are only opening suggestions as successful change requires frequent communication and some agility as the program changes over time. Starting with a strongly-articulated, shared vision of the future state of the program, individual changes will be easier for stakeholders to understand and accept.

During the transition period, GPO should employ creative staffing solutions for dedicated change management and assessment. GPO should leverage the DLC to communicate the vision and strategy for the change to the library stakeholders.

A key requirement beyond this Task Force report will be for GPO to produce a brief, high-level brochure or single page describing the vision for the end-state of the FDLP after the transition period is complete. This will provide a unified communication for all stakeholders and should reference detailed documents and plans, including this report, GPO and LSCM strategic plans, and the “[National Collection of U.S. Government Public Information Strategic Plan for FY2023 - FY2027](#).”



## VI. CONCLUSIONS

The Task Force and its working groups were tasked with exploring two questions:

1. *Can the FDLP go all-digital?*
2. *Should the FDLP go all-digital?*

Each working group sought to answer these two questions through a number of approaches that included, but were not limited to, legislative review and tracing, policy analysis, historic analysis, review of studies, data collection (e.g., surveys, interviews, open forums), and assessments of existing similar digital programs. This comprehensive review of a possible all-digital FDLP yielded a multi-dimensional view of both the challenges and opportunities afforded GPO and its depository library partners in pursuing an all-digital FDLP.

The move to an all-digital FDLP is not revolutionary, but rather in many ways, evolutionary and would result in the formalization of a process long underway as increasing amounts of U.S. Government information are born-digital, Federal agencies primarily convey their information resources directly via their websites, and GPO itself has been enhancing its digital content and platform via [GovInfo](#). Ultimately, the working groups concluded that the FDLP can and should go all-digital, but that there remain significant societal, technical, implementation, practice, and legislative matters that require consideration as articulated in the various sections of the report.

There are also significant advantages to an all-digital FDLP. These include the ability to: modernize the FDLP to meet user Government information expectations and needs; leverage existing and emerging information discovery, sharing, and access tools; expand the reach of Government information beyond the physical constraints of FDLs; and foster the development of the [National Collection](#), to include the preservation of digital assets.

There is considerable opportunity for GPO to pursue an all-digital FDLP. Through collaborations, partnerships, and working with Federal agencies, the FDLP community, and others, GPO is well-positioned to take a leadership role in the creation of an inclusive and comprehensive all-digital FDLP that ensures no-cost access to U.S. Government information for generations to come.

## VII. NEXT STEPS

Should the GPO Director agree with the Task Force Recommendations, the immediate next step would be to form a project team tasked to design an implementation plan, including a preliminary budget and schedule.

The work of the Task Force identified a number of key action items for GPO to undertake to move towards an all-digital FDLP. These next steps vary in complexity, timing, and duration, with some requiring ongoing, iterative work.

### Ongoing and Iterative Action Items

1. **Determine how best to work with agency publishers and policy makers in other branches to continue to grow and enhance the [National Collection](#).** Leverage existing models of federated publication dissemination to avoid duplication of effort, including [Data.gov](#), PubMed Central and agency repositories like the Centers for Disease Control and Prevention's CDC Stacks and NOAA's Institutional Repository. Enter agreements with agencies to reduce barriers and embed notifications to GPO in existing agency workflows while also encouraging OMB to revitalize and publicize guidance on managing information as a strategic asset.
2. **Identify strategies and incentives for libraries to participate in cooperative programs as GPO transitions to an all-digital FDLP,** and identify what benefits accrue to their patrons from participation. Consider adding benefits valued by libraries. Develop and clearly articulate a menu of services and expectations to assist libraries in providing effective access to the [National Collection](#).
3. **Work with stakeholders to identify documents and serials that will remain in print** in the near-term (next several years, until agency and statutory changes), and develop a plan to keep them available to those libraries that need them without overtaxing resources (GPO or library).
4. **Plan for and complete the digitization of the legacy tangible collection.** Ensure that metadata production capacity is also increased to support digitization and improved bibliographic control of the tangible [National Collection](#). Work with library and agency partners, and provide regular reports of progress against planned milestones.

### Limited Duration Action Items

1. **Articulate policy changes needed to accomplish goals** identified in this report and the recently released [National Collection of U.S. Government Information Strategic Plan](#). Prepare or update draft legislative language for those policies where change in existing law is required. Work with stakeholders to update administrative directives and agency policies as needed.
2. **Initiate robust and ongoing outreach and communication efforts to as many stakeholders as possible, as early as possible,** focusing on shared definitions and understandings. The outreach process should begin with the fall 2022 public comment period for this report and expand to include the engagement of Task Force members to

begin conversations with their communities. Participate in key library association events to ensure there is a shared understanding of the content and the recommendations beyond traditional core stakeholders.

3. **Procure support for dedicated change management and assessment** at GPO during and immediately after the transition period. Provide dedicated support at GPO for LSCM and GPO staff, congressional and agency stakeholders, FDLs, and the public while the program is changing. Leverage the DLC to communicate the vision and strategy for the change to the library stakeholders.

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## IX. APPENDIX

### Impact on Access

#### Survey Results

An informal unscientific online survey (available May 9-29, 2022) gathered input and feedback from user-community stakeholders on the impact on access of an all-digital FDLP. While the survey did not specify the full meaning of an all-digital FDLP, it was sent to multiple membership organizations and was designed to gather input from librarians and library workers. It had 153 respondents, most of whom were familiar with the FDLP and using Federal information on at least a monthly basis.

The majority of respondents reported that their use of Federal information either would not change or would increase with the adoption of an all-digital FDLP. The respondents acknowledged the difficulty of determining whether the FDLP *should* go all-digital. They brought to light specific issues related to access, some of which have been already discussed in this report. Additional concerns about possible corruption of files or wanton removal of items only available digitally also surfaced.

Of particular note, the respondents overwhelmingly use agency websites (over 80 percent), [GovInfo](#) (75 percent), or Google/search engine (70 percent) to access Government information. At the same time, just over 25 percent use a Federal depository library for the same purpose, despite the fact that an overwhelming majority (85 percent +) report that they are regular users of the FDLP.

A recurrent theme in the responses was a concern for the impact of the digital divide on access – and a related fear that people without ready access to high-speed broadband at home would be disenfranchised. An all-digital FDLP will be most effective when internet access is ubiquitous, secure, and fast. Concern for those excluded from participation because of the digital divide is paramount and includes not just people lacking access to the internet, but those who rely on mobile devices.

## Impact on Depository Libraries

Question to Forum Attendees	Responses
<p>What is the impact on staffing and staffing levels?</p>	<ul style="list-style-type: none"> <li>● Concern that there will be fewer dedicated Government information department staff.</li> <li>● Possibility of diminished support from library administrators to acknowledge and support the FDLP in their institution.</li> <li>● As library budgets decrease, library administrators may need to justify staffing allocation for required tasks and participation in the FDLP.</li> <li>● Many libraries are already impacted by the steady decrease in numbers of positions over time.</li> </ul>
<p>What skills are needed?</p>	<ul style="list-style-type: none"> <li>● Cataloging, reference and referral, collection development, data analytics, content mining and curation, and electronic record management skills.</li> <li>● Excellent customer service and collaboration skills.</li> <li>● Ability to train library users and colleagues in the use of Government information.</li> </ul>
<p>What is the role of FDLP Coordinators?</p>	<ul style="list-style-type: none"> <li>● Active promotion and raising awareness of online collections and the FDLP.</li> <li>● Create and utilize discovery tools for increased access to Government information.</li> <li>● Community engagement, increased emphasis on services, and outreach to the public.</li> <li>● Advocate the value of the FDLP to library administrators, with help from GPO staff.</li> <li>● Surveying the local community for subject needs.</li> <li>● Educating colleagues in discovering and using digital Government information.</li> </ul>



<p>What are the roles of other library staff?</p>	<ul style="list-style-type: none"> <li>● Depository responsibilities are often shared between technical and public services staff.</li> <li>● Digitization expertise and adherence to standards for digitization.</li> <li>● Training for public-facing versus online librarians for discovering publications.</li> <li>● Collaboration with website developers and web content managers for discovery tools.</li> <li>● Support for all-digital collections needed from IT departments and ILS managers.</li> </ul>
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**Successful Collaborations Identified by the Impact on Depository Libraries Working Group:**

- [Association of Southeastern Research Libraries](#) (ASERL)-type centers of excellence and the [Center for Research Libraries' \(CRL\) Technical Report Archive & Image Library \(TRAIL\)](#) program or regional collaborations can serve as models for collaborative programs. GPO should continue to encourage such collaborative efforts and provide incentives for joining or implementing programs.
- Develop a coordinated strategy that draws on the strength of GPO's partnership with FDLs to prioritize titles for digitization. Collaborative efforts can focus on developing agreements where libraries digitize specific legacy print collections. For example, collaborative programs could encourage research libraries to host onsite specific digital collections offering more in-depth access with specialized retrieval software for visualization and data mining.
- Collaborative efforts would also be useful in the areas of training or professional development. Regional training programs or webinars can be created or existing programs revised for a national online audience focusing on GPO's all-digital program. For example, the Indiana State Library hosted on May 20, 2022, a statewide [Government Information Day](#). The [FDLP Academy](#) programs and the [Western States Government Information Virtual Conference](#) are other good examples.
- A coordinated approach for bibliographic control can assure that GPO's titles are adequately described for all agencies, allowing for better discovery and retrieval of Government information in local or regional catalogs.
- Collaborative efforts in creating handouts, brochures, and online guides would help to promote the use of Government documents and [GovInfo](#). Such materials would support Government information literacy as well as highlighting Government documents as Open Educational Resources (OER).

- As tangible collections will remain in FDLs for the foreseeable future, collaborative agreements could be established among libraries for shared housing of printed or physical collections thus reducing the need for shelving in other participating libraries. The [Preservation Stewards program](#) can serve as a model for expansion of this collaborative effort.

DRAFT

## Impact on Federal Agencies

Key findings from the IFAWG review:

- Most agencies included in the [Disseminating and Preserving Digital Public Information Products](#) case study report publish virtually everything online. A few agencies continue to print a handful of their publications. Reasons for this included proprietary information and concern about foreign use of the information. The IFAWG contacted additional stakeholders to learn why agencies continue to produce and distribute publications in print. Examples of publications we investigated are the Federal Communications Commission's FCC Record, the National Marine Fisheries Service's Fishery Bulletin, and the Senate's United States Senate Telephone Directory.
- Publishing in Federal agencies is sometimes very decentralized, and it is difficult to determine how publishing decisions are made and by whom. For example, the National Park Service issues publications through its headquarters' Office of Communications, regional offices, and individual Park facilities. NOAA operates in a similar fashion. The IFAWG noted that this decentralization makes it more difficult for GPO to contact agencies to learn about the agency's practices and to communicate about the FDLP. GPO is the convener of the [FPC](#), through which it informs agencies about GPO's services and requirements. However, many agency communications personnel are unfamiliar with the FPC, and thus it may not be the best vehicle to inform agencies about GPO and Title 44.
- There are complex challenges in trying to identify agency publications in all formats. The IFAWG interviewed the Director of the Department of Interior Library (DOI), which is a Federal depository library. Even with the existence of an agency directive that two (2) copies of all publications, regardless of format, be sent to the library, it has proven difficult to identify and receive agency publications for DOI's own library needs. Remote work during the COVID-19 pandemic has increased these challenges. Agencies currently are unaware of or do not comply with the requirements of [OMB Circular A-130](#), so there is no reason to think that additional regulations will result in greater compliance.
- Ideally, all Federal publications should be made available through [GovInfo](#). Because many agencies have already established their own repositories for archiving and providing access to digital content, and due to constraints on GPO's authority, it is difficult for GPO to enforce compliance with Title 44. In essence, the former practices of agencies publishing without going through GPO have extended into digital publishing.
- Some agencies have established robust centralized digital repositories with stringent standards, but others operate in a more decentralized, less standardized manner. It is unknown how many agencies adhere to [FADGI](#) standards for creating and preserving digital content.
- Some agencies are focused on building and improving institutional repositories that promote greater access to the agency's scientific publications. The IFAWG met with the manager of the institutional repository at NOAA and learned that NOAA and the other agencies required to comply with [OSTP's 2013 memorandum](#) have established working groups to collaborate on approaches to improving access to their publications. Many

agencies are following “The [FAIR Guiding Principles for Scientific Data Management and Stewardship](#).” These guidelines are designed to improve the **F**indability, **A**ccessibility, **I**nteroperability, and **R**euse of digital assets.

- While agencies indicated awareness of GPO’s statutory mandates related to tangible material, they appeared to be unaware that these mandates could be applicable to digital content. The IFAWG’s investigations revealed that agencies often do not see a role for GPO in publishing or making available the agency’s digital output. In addition, agencies viewed compliance with Title 44’s requirement to notify GPO of online publications as an unfunded mandate.
- The FDLP’s potential transition to an all-digital distribution model will not have a marked impact on Federal agency printing and publishing practices. In reality, the reverse is true. The publishing decisions of Federal agencies will impact whether or not GPO can obtain publications in print format for distribution to libraries in the FDLP. From our meetings with stakeholders, it is clear that digital publishing is a permanent trend in agency publishing.
  - Federal agencies are increasingly creating born-digital content, and less content is being printed.
  - Agencies that the IFAWG consulted listed a variety of reasons for deciding whether to print agency titles whose audience was determined to be the general public.
  - Many agencies do not have clear directives that govern agency-wide decisions on print versus born-digital.
  - Most agencies indicated that it is the author or division head who determines the format.
- Appropriated funds for GPO will not likely be available to convert born-digital publications and information resources to a print format for FDLs. This is cost-prohibitive given the current cost of paper and limited supply of paper due to supply chain issues. Additionally, printing budgets at agencies are often the first to be cut or eliminated and may serve as an agency’s justification for discontinuing titles in print format.

## Impact on GPO, Library Services & Content Management

### Detailed Findings from Survey of LSCM Personnel Regarding an All-digital FDLP

Responses were received from 57 percent of employees, seven managers, and 44 staff. When asked what they thought about the concept of an all-digital FDLP, the majority (18) responded that they “Have some reservations.” This was followed closely by 14 who “Like” the concept. Only one respondent indicated they “Do not like” the concept of an all-digital FDLP. Interestingly, 20 respondents “Accepted” or “Liked” the idea, and the same number “Had reservations,” “Were unsure,” or “Did not like” the concept. The table below shows all the responses to this question.

I ____ the concept of an all-digital FDLP	
Like	14
Accept	6
Have some reservations about	18
Need to know more about	8
Am neutral about	3
Am unsure about	1
Do not like	1

When looking specifically at their jobs, 27 indicated they work primarily with both tangible and digital publications, while 14 work primarily with digital publications, and two with tangible publications. Seven responded they do not work with either tangible or digital publications, and one did not respond to the question. With these responses, it is not surprising that 27 reported their job would change some, 17 reported their job would not change at all, and six indicated they thought their job would change a lot. Of the 17 who indicated their job would not change, seven have primary responsibilities for Classification/Cataloging/Metadata; four have Systems/Web Services responsibilities; three have Management/Administrative Support responsibilities; and there was one respondent for each of Project Management/Contract Management, Collection Services/Preservation/Archives, and Acquisitions responsibilities. The six respondents who indicated their job would change a lot all have different primary job responsibilities: Outreach/User Support; Classification/Cataloging/Metadata; Collection Services/ Preservation/Archives; Project Management/Contract Management; Management/Administrative Support; and Other.

Respondents were given an opportunity to describe how their job would change; 29 offered insights into those changes, most of which related to the elimination of tangible publication responsibilities, the need to revise processes, and revamping systems. A supervisor advised how work efforts of those who work with tangible publications could be transitioned to digital content acquisitions and assistance with tangible collection management in depository libraries. Several comments included concerns about the FDLP if it is to be an all-digital program. The question of what incentives there would be for libraries remaining in the FDLP if it is all-digital was raised; the value of an all-digital program will be harder to demonstrate. The fact that not everything is online was noted, and it was suggested that LSCM put in place a plan to digitize and catalog those materials. One comment related to collection management and bibliographic control of digital content in depository libraries and the possibility of libraries leaving the FDLP if they are required to catalog digital content. Apprehensions about the perceived lack of value of the tangible legacy collections held in depository libraries were expressed, with one person noting that, "Using the term 'an all-digital FDLP' seems to ignore the fact that the largest single asset of Government information in the FDLP is the tangible collection held among the [1,100+] libraries." The table below reports all the open-text responses as submitted.

<b>Free text responses to "Please describe how you think your job will change if the FDLP becomes an all-digital program."</b>
<p>A Digital map, mined from another site, is only comparable to the authoring agency's online copy with corresponding software that cannot be captured off another agency's website. With issues such as this, we are totally reliant of authoring agencies keeping their maps available to the public... At some point, our luck will run out, and problems such as this will be more obvious to our community of users.</p>
<p>A shift to an all-digital program would involve a phase-out of tangible material for processing. Distribution of government documents to FDLs would be handled electronically, with no need for the on-site tangible processing, shipping and receiving we currently do. I think there will always be tangible material in need of processing because of donations and withdrawals from FDLs. However, perhaps this material could also be digitized, and assimilated into online cataloging workflows. In any case, I imagine it would have a significant effect on how LTS operates going forward.</p>
<p>A successful transition to an all-digital program will require rethinking and revamping most of our processes and systems. I already do this, but it will be a lot more planning and bringing others into the discussion and getting them to think outside the box instead of sticking to what we have always done. More business analysis will be required to plan successfully.</p>
<p>All Digital could denote limited interaction with persons and jobs. Although I have an Information Technology (IT) background, I'm concerned with what may happen to others whose jobs in the FDLP or GPO Agency may not be automated/digital. My job related duties would perhaps increase in expectant outcome via fdlp.gov or other IT platforms.</p>

An all digital FDLP is really a misnomer for what I think is meant by the concept of an "All Digital Selection Profile for new Government Publications." Using the term "An all digital FDLP" seems to ignore the fact that the largest single asset of government information in the FDLP is the tangible collection held among the 1,000 libraries. The digital content, newly created, and to be acquired and archived and the content on govinfo.gov are a fraction of the historically and culturally significant content available in the tangible and digital National Collection. All Digital seems to signal that paper publications are obsolete or of less value. It will be library directors, zealous to free up space that will hear the message that way. Overall, it will make my job harder to defend keeping and preserving tangible collections, even as we move to seek more funding to preserve and to digitally image them.

An all-digital FDLP will mean that I only need to process EL publications, instead of EL and tangible.

Box-work will disappear and fewer records will be produced, as GPO creates individual records for each format.

Demonstrating the value of an all-digital FDLP is potentially more challenging than when you have some tangible things to point to. Convincing library staff and administrators to put in the time and work to properly maintain digital FDLP resources is also challenging because it's more abstract and less immediate than things arriving in the mail.

Digitization of remaining tangible copies may increase as they become rarer or are phased out entirely

Honestly, I don't know how exactly my job will change if FDLP goes All- Digital. I have some concerns about collection management bibliographic control. At this time, there is not a requirement to catalog FDLP publications. I also worry about the retention of FDLs if depositories are required to catalog digitally. Since most FDLP coordinators have multiple responsibilities and limited time dedicated to to FDLP duties, a change in requirements might be the push for libraries to leave the program.

I don't imagine a change in the job. It's more about what cannot be all-digital that we will leave behind.

I don't think all libraries will want to be all-digital. So I believe my work will continue as is.

I supervise staff that currently spend a great deal of their time processing tangible materials. Their efforts could be focused instead on making online content acquisitions, assisting with the tangible collection management, and potentially processing tangible materials for the cataloging program, if necessary. We would potentially also be involved if there were a print on demand or special selection/"bookstore model" distribution model adopted for tangibles.

I tend to work with older materials - lots of old paper. Most new cataloging is virtual - unless it isn't. How will this all digital FDLP deal with braille? Maps?

I will no longer be required to catalog print publications.



I would contribute to the following: 1) If a goal is to retain libraries currently in the FDLP, an all-digital FDLP needs more or different incentives for some libraries to continue participation and these would be developed/expanded; 2) A reimagining of FDLP literature and the website would be helpful in support of the new FDLP, involving performance guidelines, goals, or competencies (rather than regulations), supporting public services and advancement of access and visibility of U.S. Government information; and, 3) increase proactive outreach to all depositories, to continue and strengthen relationships and the connection between depositories, with the goal of helping them provide the best service to their patrons. This will all naturally result in many changes, so keeping abreast of changes will be critical.

Identifying and digitizing tangible resources for preservation.

If the program becomes all-digital, would GPO no longer get tangible books, magazines, and posters in the mail? One thing I do is open mail. Does GPO still get new CDs and DVDs or are they gone like microfiche? Would GPO get notified about everything electronically?

It won't be necessary to have someone scan parts of tangible publications, which would be a good change.

Just in the sense that we will need more strategic planning and policy changes related to digital-first workflows and responding to questions and issues from the FDLP community related to digital depository practices.

Mostly with communicating the changes to the community and what that means for their library - web content, conference programming, News Alerts, etc.

My job is related to the processing and cataloging of tangible materials. Therefore an-all digital FDLP will have a major impact on my job. Of course, those operations and workflows would change significantly, and I would foresee considerable changes in the operations related to online publications.

My job responsibilities won't change, but they will have a different focus as LSCM transforms, and the need to assess current policies, and guidance provided to depository libraries, will be paramount. There also will be a need to evaluate current services, and develop new services as guidance and practices evolve and change. And I'll undertake more programmatic assessment as we determine the success level of changes made because of becoming an all-digital FDLP.

My job will change as new procedure and workflow must be developed to handle the increase of electronic documents, such as validating the electronic files are accurate and remain stable.

My job will not change much, if at all, but I think we should let the microfilm changes settle before thinking about ending print.

The aspects of my position (Collection Management) that deal with all our previously distributed, historic FDLP material held by our Federal Depository Libraries will likely largely remain the same. If the FDLP no longer distributed any tangible publications, we would not need to manage policies like Regional Online Selection, or consider item selection profiles. My concern is the impression an "all digital FDLP" gives about the lack of value/essential nature of our historic, previously distributed print (and other tangible format) National Collection of U.S. Government Public Information. I also worry that we don't have a compelling argument about why a library should remain the FDLP if the FDLP is "all digital." What other services/benefits do we provide to our depositories if we are all digital?

Training on how to build a digital collection. Training on how to handle an aging legacy collection. Tools to help libraries streamline digital record acquisition. Tools to help libraries identify suitable digital resources for inclusion outside of their catalogs. Modernization or clean up of legacy systems to account for loss of tangible.

Web Archiving has potential to see a lot of impact if there becomes a need to increase the capacity.

While I feel that we should work toward an goal of all digital, there are still some considerations: not everything is online. I have cataloged several gray bin books which are not online. Even some current reports are also not online. We should have a plan in place to digitize and catalog all publications/reports not online prior to going all digital.

## Identified FDLP Program Administration Considerations

The transition to an all-digital FDLP will require a number of adjustments to GPO's administration of the FDLP, though not all areas will experience substantive changes:

- The biggest impact will be upon those who work exclusively on or primarily with tangible documents. For those working with the production or shipment of printed materials, they will not be able to easily convert their skills to a digital world. However, there may still be a need for experts at creating digital formats to the extent that materials arrive at GPO as text and not as fully formatted documents.
- The CLTS indicated that all cataloging is virtually identical for digital or tangible materials, and that much of the infrastructure is already in place to handle digital formats. As such, a decision to go all-digital will not affect work in this area, except that staff will not have to deal with tangible items. The CLTS also speculated the transition to an all-digital FDLP may increase the demand for retrospective digitization.
- The CFDS indicated that a switch to an all-digital FDLP will eliminate some issues regarding tangible formats, but not eliminate them altogether, and that the elimination of tangible formats may also encourage depository library coordinators to reconsider their collections. As such, the decision to go all-digital may raise questions for individual libraries about their status and about the nature of their collections and services. The Superintendent of Documents should consider offering guidance for FDLs as they assess their collections and status as depositories in light of the potential changes.

There may also be a need to expand their recommendations to depository libraries regarding services they will be expected to, or should offer, in an all-digital world.

- Authentication, security, and preservation will take on increased importance for libraries and end users. Various practices are already in place at GPO to ensure document accuracy, and a decision to go all-digital should not affect this practice substantially, except to heighten the demand and importance of these tools. In addition to authentication of documents, it is critical that Government documents be published in a way that ensures continued, authentic, and no-fee access. This concern refers to both preservation of materials for archival purposes and also development of tools that preserve the internet locations of the materials for reliable, persistent access to them.
- GPO's Preservation Librarian, Digital Preservation Librarian, and an Archives Specialist indicated that their departments already have processes and programs in place to maximize their missions to preserve and archive Government information, including preserving tangible formats of historical materials, and state-of-the-art digital preservation. GPO is working with state-of-the-art tools and practices to preserve these materials in both formats. Tangible formats have the advantage of being long lasting, but they also are subject to physical stresses of ordinary use. Digital formats have their own issues that require continuous maintenance as technologies change.
- At present, FDLs provide a nationwide collection of tangible materials. In an all-digital FDL, it is not clear what an individual depository library's responsibility will be with regard to preservation. It is presumed that libraries will preserve their tangible collections for their historical value, but as collections are retrospectively digitized, reliance upon and need for collections in depository libraries and the nature of tangible materials will likely change dramatically. The Superintendent of Documents will need to issue new guidance and support to depository libraries as they adjust to changes in their responsibilities as depository libraries.

## **Detailed Analysis of GPO Materials, Production and Costs**

The FDL has been under the authority of the GPO since 1895. Publications have rolled off the printing presses and conveniently into the boxes shipped to depository libraries. Over time other formats were added to the FDL: microfiche, CDs/DVDs, and now online dissemination.

There are three channels through which the production of depository tangible materials flow:

- OJG and GPO Plant Operations.
- Customer Services requisitions.
- Microfiche Reformatting.

OJG provides support services to Congress and its committees regarding the printing, binding, and provision of digital information products required for their operations. It also includes the production of the Congressional Record, Congressional Record Index, bills, reports, hearings, committee prints, and other authorized documents. OJG works closely with the Office of the Federal Register to coordinate production of their official documents, including the daily Federal

Register, Code of Federal Regulations, List of CFR Sections Affected, Statutes at Large, and the Public Papers of the Presidents of the United States. OJG has a term contract with GPO Plant Operations to produce the aforementioned publications. Depository library copies are produced automatically through this contract, and the Superintendent of Documents Salaries and Expenses appropriation is charged for these. Table 1 below shows the number of titles distributed to depository libraries that originated from OJG and printed through Plant Operations. These data show a gradual decline, with an estimated 30 percent decrease since FY 2016. It is not clear how much of it can be attributed to the COVID-19 pandemic, as there was an uptick in FY 2021.

Table 1

FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022*
3,338	3,391	3,139	3,012	2,465	2,555	2,360

\*Annualized

By far, the area of GPO that will be impacted the most if the FDLP goes all-digital is Plant Operations.

Table 2

<b>Congressional Record (daily)</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022*</b>
<b>Number of Issues Produced</b>	176	161	190	172	169	187	126
<b>Cost to Publish</b>	\$1,088,640	\$1,088,640	\$1,142,959	\$842,525	\$763,764	N/A	N/A
<b>Hearings, Prints, &amp; Misc. Publications</b>							
<b>Number of Issues Produced</b>	1,294	1,305	1,078	1,103	873	861	540
<b>Cost to Publish</b>	\$5,124	\$5,166	\$4,269	\$4,367	\$3,456	\$3,408	\$2,138

\*As of May 31, 2022

The majority of the Federal Government’s printing needs requisitioned through GPO are contracted out to private sector commercial printers through the CS business unit. LSCM has the opportunity to review CS job orders and ride them for depository library copies. Not all of their jobs are for print publications; CS also provides graphic design solutions, multimedia and web services, and creates visual communications solutions to Congress, the White House, and Federal agencies and commissions. Of the 28,624 CS jobs thus far this fiscal year, LSCM only added 91 of them for FDLP libraries, less than 1 percent.

The distribution of microfiche is in the process of being phased out, as most of those titles are accessible from [GovInfo](#). The last two microfiche contracts to be discontinued by LSCM will be the Federal Register and the List of CFR Sections Affected, which will cease at the end of CY 2022, and the daily Congressional Record, which will cease at the end of the 117th Congress. The number of DVDs has dwindled to almost nothing. The current largest agency producer of DVDs distributed through the FDLP announced at the beginning of the COVID-19 pandemic the discontinuation of one of its major DVD titles. They will continue to make the data available through the use of APIs on their website. In fiscal year 2021, four DVDs were distributed; three have been distributed thus far through May 2022.

The [List of Classes](#) contains item numbers from which depository libraries can select what they want to receive. Some item numbers are for a particular title or series, while others are for groups or types of publications, for example, “Handbooks, Manuals, Guides” or “Laws.” Today there are 6,923 item numbers for online content and 2,369 for paper. The table below conveys how many paper titles and copies of those titles were distributed to FDLs over time. The current number of paper selections by libraries varies widely from a low of 47 libraries selecting an item to a high of 715. Federal agencies are producing less in print, and libraries are selecting less in print.

Table 3

	FY 1990	FY 1995	FY 2000	FY 2005	FY 2010	FY 2015	FY 2020
Titles	21,527	17,466	12,422	12,888	8,159	3,612	2,688
Copies	9,414,694	7,162,418	5,923,762	5,285,169	1,942,235	710,171	490,781

Tangible print alternatives are dying out. Print distribution to FDLs has drastically decreased since 1996 when GPO submitted its report to Congress, “[Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program](#),” which was required by the [Legislative Branch Appropriations Act of 1996, Public Law 104-53](#). In fiscal year 1995, print titles numbered 17,466, with a corresponding 7,162,418 copies sent to FDLs. Fiscal year 2021 saw 2,708 titles with 474,139 copies distributed. And the Superintendent of Documents’ appropriations earmarked for printing has dropped by about 50 percent since 2007, from almost \$10.5M to \$5.2M. A comparison of the number of tangible titles distributed to FDLs

to the number of new cataloging records for digital publications with PURL links to the title is shown in Table 3.

Table 4

Fiscal Year	2016	2017	2018	2019	2020	2021	2022*
Tangible Titles	4,502	4,195	4,211	3,639	2,688	2,702	1,965
Bib Records w/ PURLs	10,023	10,850	11,748	15,546	16,652	12,299	8,152

\*Through May 31, 2022

### **Costs associated**

[During his 2022 testimony](#), Director Halpern explained how GPO ensures the accuracy of the information rather than relying on the XML alone to produce Government information by carefully proofreading texts in the Proof Room. There was discussion between GPO and Congressional staff about the costs related to the extra step, yet this careful precision is the due diligence expected by the American people which restores confidence in the Government. In an all-digital FDL, it is vital for this commitment for accuracy and authenticity to remain.

In [GPO's FY 2023 Budget Justification](#), it was explained that the proposed appropriation increase of \$5,355,000 over the amount requested in FY 2022 marks just the second time in more than a decade that GPO has requested an overall increase in its annual appropriations. Even with this requested increase, the total appropriation would still represent an overall 11 percent reduction from their FY 2010 appropriation.

## Title 44, Legislative and Policy Issues

### Title 44 Working Group Assumptions:

- People will get the information they need in a digital format, when available.
- Not everyone will get the information they need in a format that they prefer.
- It may be possible to obtain the preferred format elsewhere, when feasible.
- The permanence of digital and print content for no-fee public access will be prioritized (over non-preservation tangible formats, e.g., microfiche, CDs).
- Tangible depository resources that are not available in digital formats will need to be reformatted.
- Digital formats will need to be migrated as technology changes.
- The accessibility of digital content will need to be prioritized for Section 508 compliance through enhancements to digitized content.
- The scope of the FDLP will change as agency publishing practices change to take advantage of new dissemination technologies.

**Table 1. Statutory language related to printing and dissemination**

TITLE	LANGUAGE	CITATION
United States Code and Supplements	§201(b) "Government Publishing Office shall print such numbers as are necessary for depository library distribution and for sale;" §202 (a) A supplement for each session of the Congress to the then current edition of the Code of Laws of the United States ... c) ... In the case of each code new editions shall not be published oftener than once in each five years. Copies of each such edition shall be distributed in the same manner as provided in the case of supplements to the code of which it is a new edition."	<a href="#">1 USC §§201-202</a>
Statutes at Large	"The Archivist of the United States shall cause to be compiled, edited, indexed, and published, the United States Statutes at Large ... The United States Statutes at Large shall be legal evidence of laws"	<a href="#">1 USC §112</a>
Code of Federal Regulations	(b) A codification published under subsection (a) of this section shall be printed and bound in permanent form and shall be designated as the "Code of Federal Regulations."	<a href="#">44 USC §1510</a>
Federal Register	"Documents required or authorized to be published by section 1505 of this title shall be printed ... in a serial publication designated the "Federal Register."	<a href="#">44 USC §1504</a>



<p>Supreme Court Reports</p>	<p>“(a) The decisions of the Supreme Court of the United States shall be printed, bound, and distributed in ... the United States Reports as soon as practicable after rendition (c) The Director of the Government Publishing Office, or other printer designated by the Supreme Court of the United States, upon request, shall furnish to the Superintendent of Documents the reports required to be distributed under the provisions of this section.”</p>	<p><a href="#">28 U.S.C. §§411(a) and (c)</a></p>
<p>Congressional Record</p>	<p>“ ... the Congressional Record shall also be furnished as follows: In unstitched form, and held in reserve by the Director of the Government Publishing Office, as many copies of the daily Record as may be required ..., and then be delivered promptly ... to the Superintendent of Documents, as many <b>daily and bound copies</b> as may be required for distribution to depository libraries;”</p>	<p><a href="#">44 USC §906</a></p>
<p>Journals of the Houses of Congress</p>	<p>“There shall be printed of the Journals of the Senate and House of Representatives ... to the Superintendent of Documents, one hundred and forty-four copies to be distributed to three libraries in each of the States to be designated by the Superintendent of Documents;”</p>	<p><a href="#">44 USC §713</a></p>
<p>House and Senate Documents and Reports</p>	<p>(c) Of the number printed, the Director of the Government Publishing Office shall bind a sufficient number of copies for distribution as follows: ... Of the <b>House documents and reports, bound-</b>to ... the Superintendent of Documents, as many copies as are required for distribution to the State libraries and designated depositories. Of the <b>Senate documents and reports, bound-</b>to the Superintendent of Documents, as many copies as may be required for distribution to State libraries and designated depositories.</p>	<p><a href="#">44 USC §701</a></p>
<p>Congressional Directory</p>	<p>“(a) There shall be prepared under the direction of the Joint Committee on Printing (1) a Congressional Directory, which shall be printed and distributed... and (2) a supplement ... which shall be printed and distributed (b) ... Copies of the Congressional Directory delivered to depository libraries may be bound in cloth.”</p>	<p><a href="#">44 USC §721</a></p>

<p>United States Treaties and Other International Agreements</p>	<p>(a) The Secretary of State shall cause to be compiled, edited, indexed, and published ... a compilation entitled "United States Treaties and Other International Agreements ... (d) The Secretary of State shall make publicly available through the Internet website of the Department of State each treaty or international agreement proposed to be published in the compilation"</p>	<p><a href="#">1 USC §112a</a></p>
<p>Independent Counsel Reports</p>	<p>At the request of an independent counsel, the Director of the Government Publishing Office shall cause to be printed any report previously released to the public under paragraph (2). ... Additional copies shall be made available to the public through the depository library program and Superintendent of Documents sales program pursuant to sections 1702 and 1903 of title 44.</p>	<p><a href="#">28 USC §594(h)(3)</a></p>

**Table 2. Digital Government information legislation and initiatives**

<p><a href="#">E-Government Act of 2002 (P.L. 107-347)</a></p>	<p>Section 207 of E-Government spells out the purpose of the Act as being to “improve the methods by which Government information, including information on the Internet, is organized, preserved, and made accessible to the public.” Other requirements within this Act called on agencies to “establish a process for determining which Government information the agency intends to make available and accessible to the public on the Internet and by other means” and “develop priorities and schedules for making Government information available and accessible.”</p>
<p><a href="#">Connected Government Act (P.L. 115-114)</a></p>	<p>Mandated that new and redesigned Federal agency websites be mobile-friendly in an effort to promote easier accessibility by the public. Under this Act, “mobile-friendly” means a product can be navigated, viewed, and accessed on a smart-phone, tablet computer, or similar mobile device (44 USC 3559(b)(2))</p>
<p><a href="#">21st Century Integrated Digital Experience Act (P.L. 115-336)</a></p>	<p>Requires all executive branch agencies to “modernize their websites, digitize services and forms, accelerate use of e-signatures, improve customer experience, and standardize and transition to centralized shared systems.” This Act also called on agencies to identify paper-based Government services that could be made available to the public through an online, mobile-friendly, digital service option.</p>

In-progress: Congressional legislative initiatives	<ul style="list-style-type: none"> <li>• Providing the Director of the Patent and Trademark Office the flexibility to determine the format in which to publish documents.</li> <li>• Requiring the Secretary of State to make treaties available through the Department’s public website.</li> </ul>
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**Table 3. Significant information policy directives for Federal agencies**

Office of Management and Budget	<ul style="list-style-type: none"> <li>• On December 8, 2009, the Director of OMB issued a related memo, “<a href="#">Open Government Directive</a>,” which instructed agencies to “to take prompt steps to expand access to information by making it available online in open formats.” This was done in order to fulfill “three principles of transparency, participation and collaboration.”</li> <li>• <a href="#">OMB Memo, M-13-13</a> (May 9, 2013) instructed all agencies to follow the policies outlined in <a href="#">OMB Circular A-130</a>, which includes a policy for facilitating how Federal agencies distribute Government information utilizing modern tools of information technology.</li> <li>• In July 2016, OMB issued the “<a href="#">2016 Open Government Plans</a>” <a href="#">memo</a>. This memo instructed agencies to develop “Open Government Plans.” The guidelines included a requirement for each agency to create an “Open Government” link on their agency websites that contained up-to-date information about their information distribution practices.</li> </ul>
White House	<ul style="list-style-type: none"> <li>• On January 21, 2009, the White House issued “<a href="#">Memorandum on Transparency and Open Government</a>.” The memo directed agencies to take action to develop plans to distribute their Government information using innovative tools, methods, and systems, and to coordinate across all levels of government.</li> <li>• The OSTP Memorandum, “<a href="#">Increasing Access to the Results of Federally Funded Scientific Research</a>,” (February 22, 2013) instructed the heads of all agencies and departments to draft plans to make existing and all Federally funded research accessible to the public, when legal and possible.</li> <li>• A “<a href="#">Memorandum for the Heads of Executive Departments &amp; Agencies</a>” (February 24, 2014) instructed agencies to develop plans for distributing Government information to the public utilizing state of the art technologies and systems.</li> <li>• <a href="#">Executive Order 13642</a>— “Making Open and Machine Readable the New Default for Government Information” (May 9, 2013) required that “Government information shall be managed as an asset throughout its life cycle to promote interoperability and openness.”</li> </ul>

**Table 4. Pathways to increase agency engagement through assigned roles**

Pathways	Assigned Roles
Pathway 1	<p>The current use of print officers as designated liaisons to GPO for Federal acquisition purposes<sup>16</sup> suggests the value in having a similar role tied to dissemination, rather than to procurement. A helpful model to consider is that of records management officers,<sup>17</sup> who are responsible within agencies to implement their records management programs. In this line, a designated publications officer would create a designated point of contact for GPO cooperation, even if levels of responsibility and engagement varied depending on the priorities of agency leadership. It may or may not be politically feasible to include such an updated provision in Title 44 in lieu of the current notification requirements. Otherwise, absent executive branch authority, the administrative proposal and implementation of such a role could depend on cooperation with one or more agencies having a stake in information lifecycle management.</p>
Pathway 2	<p>As noted in the <a href="#">2013 NAPA report</a>, Congress has the authority to create an interagency group for Government-wide information policy and to create a cross-agency (and cross-branch) organization to collaboratively coordinate this work. Such a group could bring together leadership and expertise from GPO and LC from the legislative branch, NARA, the Office of Information and Regulatory Affairs (OIRA), and OSTP from the executive branch, and relevant officials from the judicial branch, potentially from the library program of the Administrative Office of the U.S. Courts, the Judicial Conference, or the Librarian of the Court.</p>
Pathway 3	<p>Initiate a voluntary network to oversee Federal information lifecycle management, potentially in collaboration with OMB. <a href="#">OMB Circular A-130</a> applies to the executive branch, is intended as general guidance to be scaffolded within each agency, and is not mandatory/enforceable. In the mid-1990s, A-130 was revised to include electronic content in the FDLP, though subsequent revisions reduced the specificity. Current interagency standards about web content and display (and accessibility) are not enforced. The Federal web content managers group, which used to meet regularly and currently maintains an email list, focuses on user experience and customer service, and would need to be redirected if its mandate were to extend to lifecycle management.<sup>18</sup> GPO's increased participation in interagency efforts around open Government and transparency could potentially provide more clarity to agencies on the important</p>

<sup>16</sup> See footnote 11

<sup>17</sup> See footnote 12

<sup>18</sup> The Federal CIO Council (<https://www.cio.gov/>) could be a potential partner for expanding the mandate of the federal web content managers group, or initiating a related interagency group to address accessibility practices.

	interconnections between principles of open Government and of public access.
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**Table 5. Potential approaches to changing the FDLP in practice**

<ul style="list-style-type: none"> <li>Both major and minor legislative changes may be part of a bill, potentially as authorizing legislation to fully reestablish an existing program.</li> </ul>
<ul style="list-style-type: none"> <li>GPO operates under the oversight of the <a href="#">Joint Committee on Printing</a>, which operates jointly between the Committee on House Administration (CHA) and Senate Rules Committee (SRC). The JCP has authority to approve broad interpretations of anachronistic provisions in Title 44. However, as shown in the <a href="#">FRD report</a> and anecdotally elsewhere, the failure to update the language in the governing authority creates a lack of clarity for agencies that must determine how best to use their finite resources to meet a variety of requirements.</li> </ul>
<ul style="list-style-type: none"> <li>Implementation of Federal information policy falls to OMB. As a Government stakeholder, GPO can provide comments and feedback to OMB during the revision process for <a href="#">OMB Circular A-130</a> and similar directives.</li> </ul>
<ul style="list-style-type: none"> <li>GPO can participate in interagency working groups to achieve consensus on best practices and build awareness of its mandate and current programs. This process would be vital in ensuring that future updates to <a href="#">OMB Circular A-130</a> harmonize with the current strategy for the FDLP, including any updated statutory requirements.</li> </ul>

## Strategic Framework and Implementation

**Table 1. Identified Costs Associated with an all-digital FDLP**

Costs	Cost Considerations
<p>Costs applicable to depository libraries (largely neutral, unless choosing to replace print from commercial sources)</p>	<ul style="list-style-type: none"> <li>● Value libraries bring for services (-) reference, expertise, ILL, commercial adjuncts provided by libraries</li> <li>● Staffing and training redevelopment</li> <li>● Record loading and maintenance may need to be done by higher-cost staff (+)</li> <li>● Cataloging</li> <li>● Preservation costs</li> </ul>
<p>Costs applicable to GPO</p>	<ul style="list-style-type: none"> <li>● Staffing &amp; training (+)               <ul style="list-style-type: none"> <li>○ Skills redeployment of professionals</li> <li>○ Development of expertise</li> <li>○ Reallocation or realignment of staffing organizational structures</li> </ul> </li> <li>● Technology               <ul style="list-style-type: none"> <li>○ Systems development</li> <li>○ Maintenance of tools</li> <li>○ Security</li> </ul> </li> <li>● Preservation               <ul style="list-style-type: none"> <li>○ Digital preservation costs                   <ul style="list-style-type: none"> <li>■ Platform and technology</li> <li>■ Staffing to support</li> <li>■ Metadata and ingestion</li> </ul> </li> <li>○ Tangible preservation costs (+)                   <ul style="list-style-type: none"> <li>■ Moving collections</li> <li>■ Maintenance and conservation of tangible materials</li> <li>■ Digitization costs for tangible historic collections</li> </ul> </li> </ul> </li> <li>● New methods for digital publishing (+)               <ul style="list-style-type: none"> <li>○ Print-on-Demand</li> <li>○ Digital deposit and/or hosting</li> </ul> </li> </ul>
<p>New or increased costs are marked with a (+), decreased costs marked with a (-). Unmarked items are neutral or unknown.</p>	

**Table 2. Cost Impacts on Access**

<b>Cost Category</b>	<b>Summary</b>
Staffing and development of expertise	The availability of trained and knowledgeable staff is a prerequisite for access for any user, whether a scholar or a member of the general public. Dedicated staff at each FDL who understand the Federal Government’s structure, the collection, the cataloging schema, and best search strategies must be recognized as a nonnegotiable requirement of participation to assure high levels of service. Similarly, professional staff are needed to accomplish collection development, preservation, metadata, and more, behind the scenes roles that are vital.
Reallocation of resources within the depository libraries	Each FDL is different and has varying capacity – staff, space, technology – to move toward an all-digital FDLP and to mitigate these inequalities – because the availability of resources impacts the FDL’s ability to serve users effectively.
Development and implementation of disaster recovery plans and increased network security (+)	For an all-digital FDLP, there is a need for stronger disaster recovery planning and network security to ensure the integrity and availability of networked information and systems.
Improvement of metadata and cataloging mechanisms will mean realignment of processes and revision of existing staff skills (+)	One key to a successful all-digital FDLP will be the availability of metadata for content and discovery tools. This will require that the current mechanism for persistent access and the availability of centrally-produced metadata and cataloging records be improved upon. This points to expanded roles for the FDLP, the GPO, and FDLs: determining how to accomplish the new tasks with limited resources. A retooling of the current structure of the FDLP and revisiting the professional skills that are needed to accomplish the newer tasks will be essential.
New or increased costs are marked with a (+). Unmarked items are neutral or unknown.	



**Table 3. Cost Impacts on Depository Libraries**

Cost Category	Summary
Increased needs for computing equipment and reference assistance (+)	During the <a href="#">Spring 2022 DLC Virtual Meeting's Open Forum</a> , depository library personnel were asked to weigh in on this issue. Several participants did not see many changes taking place in their libraries, as they have been operating in a mostly-digital FDLP (and library) environment for many years. Others anticipated a decrease in services associated with physical materials (e.g., borrowing and lending), along with an increased need for computing equipment and more engaged reference assistance (with the assertion that digital information is harder to navigate than print). Attendees were mixed on the topic of how staffing will impact services, with some noting that their staffing has already been cut as much as it can, and others warning that an all-digital FDLP would lead to less investment in staffing by library administrators, which could lead to a reliance on expertise outside of the local library.
Costs reallocated to libraries that choose to continue adding tangible Government documents through other means or commercial sources (+)	It seems likely that in an all-digital FDLP where no print is distributed, any libraries that choose to continue to provide access to printed materials will incur additional costs.
Increased costs for staff retraining and new expertise (+)	There may be an increased need for training on skills specific to technologies and software for finding and managing digital publications; however, training will still need to be offered for managing, finding, and using historic tangible publications which have not been digitized.
New or increased costs are marked with a (+). Unmarked items are neutral or unknown.	

**Table 4. Cost Impacts on Federal Agencies**

Cost Category	Summary
Appropriated funding and agency budgets (+)	Appropriated funds for GPO will not be available to subsidize the per-copy cost of publications. Additionally, printing budgets at agencies are often the first to be cut or eliminated. Together, these effects may serve as an agency's justification for discontinuing titles in print format.
Differing digital mandates	Because digital mandates differ throughout the three branches of Government, the IFAWG recommends that GPO work to develop a network of digital repositories Government-wide, with <a href="#">GovInfo</a> as a key component of this network, to ensure permanent free public access to all information in scope of the FDLP.
Cataloging of agency repository works (-)	GPO should move away from cataloging agency works that reside in the agencies' repositories and should develop a system to link to agency repository content via the <a href="#">CGP</a> or develop other technological solutions to avoid duplication of effort and to increase access.
Coordination of historical publication digitization (-)	GPO should continue to reach out to agencies, national libraries, and others to coordinate efforts to digitize historical publications, focusing on materials that are not available in a preservation-quality and Section 508-compliant digital format. GPO should foster collaborative arrangements to avoid duplication of effort and to reduce costs.
Continued print publication of selected titles (+)	GPO should plan to continue to distribute print format of selected titles as required by Federal agencies until such time as each agency determines that it will no longer provide print formats and notifies GPO of that intention to cease publishing in print format, or according to the developed phaseout tangible format plan that the IFAWG is recommending. At the same time, GPO personnel need to periodically communicate with agencies to confirm the continuing need to publish in print.
New or increased costs are marked with a (+), decreased costs marked with a (-). Unmarked items are neutral or unknown.	

**Table 5. Cost Impacts on GPO and LSCM**

<b>Cost Category</b>	<b>Summary</b>
Staff and training (+)	There is a need for increased resources for staff and training.
Job training	There is a need to facilitate job training for those at GPO whose work may be greatly altered or eliminated.
Training resources for LSCM	There is a need to provide training resources for LSCM to become a learning organization.
Systems evolution and training	An all-digital environment presupposes continuing evolution of systems and platforms and demands continuous training to learn the new systems as they become available. In some cases, this means training existing staff to perform their work with new tools and sometimes it will mean that staff will need to learn new things as new technology makes existing work obsolete or unnecessary.
Tools for digital document lifecycle management (+)	There is a need to develop management tools for the lifecycle of digital documents in LSCM and in depository libraries. (Increased appropriation)
Staffing (+)	There is a need to employ creative staffing solutions in GPO and LSCM for an organizational transformation consultant.
Outreach and support (+)	There is a need to increase and diversify outreach and training support to the FDLP community as the program transitions, including facilitating communities of practice.
Increased costs for all depository libraries to participate in the Cataloging Record Distribution Program (CRDP) (+)	Including participation in the Cataloging Record Distribution Program as a benefit available to all FDLs would necessarily mean an increase in costs associated with the services provided by the third-party vendor, including the cataloging and electronic distribution of records.
Continuing costs for production of official tangible documents (+)	A mechanism for some depositories to continue to receive those items still produced in print required to serve the public. Congressional and legislative historical documents (committee prints, hearings, committee reports, Congressional Record, conference reports) and the Code of Federal Regulations should still be printed and made available for selection by depository libraries.

Mechanism for serving public when digital publications will not meet the need	Some mechanism for depositories to fill in gaps where a digital publication will not meet the needs of a patron. Such an acquisition on demand system implies the need for on-demand production, which would impact GPO staffing or budget.
Continued digitization of legacy materials (+)	Continued and expanded work to digitize legacy tangible collections and balance this work with the immediate need for maintaining the legacy collections for access and preservation. (Increased appropriation)
Expanded capacity to manage born-digital publications (+)	There is a need for expanded capacity for acquisition and preservation of born-digital publications not provided by agencies.

New or increased costs are marked with a (+). Unmarked items are neutral or unknown.

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**Table 6. Example Depository Programs**

Program	Summary
<i>Canada</i> <sup>1</sup>	<p>Canada’s Depository Services Program (DSP) dates to 1927 but changed to an all-digital program in 2014. Like the FDLP, the Canadian program is based in the Publishing and Depository Services directorate, not in Library and Archives Canada, the national library. The change to an all-digital program in Canada was part of a larger government move to focus on digital information, with the DSP cataloging and hosting documents from across the government. This collocation with persistent identifiers is described as continuing the safety net for Canadian government publications that was provided by the original print distribution. The DSP convenes an advisory group of librarians to determine how the program can best support access to government information. One method is by distribution of MARC catalog records for libraries to use; the DSP has developed a robust and modern web service to notify libraries of and offer for download relevant records.<sup>2</sup> This approach could be an alternative to <a href="#">GPO’s New Electronic Titles List and Cataloging Record Distribution Program</a>, while providing more flexibility for selection than the current item number system.</p>
<i>United Nations</i> <sup>3</sup>	<p>The U.N. Depository Library system is administered by the Dag Hammarskjold Library (DHL) and underwent a major change to an all-digital program in 2015. A consultation was held with the libraries in 2014 to determine their preferred path forward as print distribution ceased. The libraries (many U.S. libraries in the U.N. program are also FDLP libraries) agreed that the program going forward in an all-digital format was preferable to the program ceasing. Libraries identified the expert knowledge and network of colleagues, along with support and training from the DHL staff as highly valued elements of the program. Parallels to the FDLP in these areas are strong, including the FDLP Academy and annual conferences.</p> <p>Mr. Thanos Giannakopoulos, the current head of DHL, noted that frequent and robust communication with libraries is vital. Having a shared vision of what the contours of the changed program will be was also identified as a key issue, as when some special print items were sent, libraries became confused about the status of the program. Giannakopoulos plans to continue to evolve the U.N. program, strengthening its ties to the Sustainable Development Goals and building a robust network of expertise while also addressing persistent digital divide issues in innovative ways.</p>

<p><i>European Union</i></p>	<p>The European Union’s Publications Office depository program is evolving rapidly. Print distribution to depository libraries has ceased, and the Office has developed a focus on information services for the public and for librarians.<sup>4</sup> The Office has, even as this report is being drafted, released an ambitious new plan requiring EU agencies to deposit information in all formats with the Publications Office under the EU Legal Deposit Scheme.<sup>5</sup> Because many member states of the EU have legal deposit traditions, this ambitious model may work better in the European context than in the U.S. where there is a history of Government publications not being submitted for deposit with GPO, in spite of legislation requiring it.</p>
<p>1 History and current operations are detailed here <a href="https://publications.gc.ca/site/eng/depositoryLibraries/dsp-lac/termsOfReference2016.html">https://publications.gc.ca/site/eng/depositoryLibraries/dsp-lac/termsOfReference2016.html</a>.</p> <p>2 <a href="https://publications.gc.ca/site/eng/weeklyAcquisitionList/lists.html">https://publications.gc.ca/site/eng/weeklyAcquisitionList/lists.html</a>.</p> <p>3 See <a href="https://www.un.org/depts/dhl/deplib/whatsnew.htm">https://www.un.org/depts/dhl/deplib/whatsnew.htm</a> for a summary of the 2014 consultation with UN depositories.</p> <p>4 See “How to get the most out of EU information: Services for librarians and information providers” (2020) <a href="https://op.europa.eu/s/wu1u">https://op.europa.eu/s/wu1u</a>.</p> <p>5 “EU Legal Deposit Scheme” (2022) <a href="https://op.europa.eu/s/wu1y">https://op.europa.eu/s/wu1y</a>.</p>	

## Further Considerations

Presented below by topical area are a number of issues, strategies, and actions identified by the working groups of the Task Force that GPO should further consider as part of developing and implementing an all-digital FDLP.

### **I. Users, Communities, and Access**

#### **A. GPO should:**

1. Ensure that all members of the public, regardless of geography, ability, telecommunications infrastructure, etc., have no-fee access to Federal Government information.
2. Consider the broad range of users and communities that engage with Government information.
3. Develop protocols and guidelines that protect the confidentiality and privacy of individuals who access digital Government information through an all-digital FDLP.

### **II. Printed Materials and Legacy Collections**

#### **A. An all-digital FDLP may not mean the immediate discontinuation of print distribution. There is a need to:**

1. Continue to make available for selection by FDLs publications where agencies still publish in print. Superintendent of Documents policy should determine which specific print titles will remain available for selection by FDLs.
2. Plan to distribute the print format of selected titles as required by Federal agencies until such time as each agency determines that it will no longer provide print formats and notifies GPO of that intention. At the same time, GPO personnel need to periodically communicate with agencies to confirm whether or not there is a need to publish in print.
3. Develop some mechanism for depositories to fill in the gaps where a digital publication will not meet the needs of a patron (e.g., print on-demand).
4. Continue and expand work to digitize legacy tangible collections and balance this work with the immediate need for maintaining the legacy collections for archival and legal purposes.

### **III. Permanence and Authentication**

- A. GPO will need to take a leadership role in developing strategies and approaches that address publication permanence.**
- B. There is a need to:**
  1. Expand how born-digital and digitized Government information is tracked and verified to assure the authenticity of digitally produced and distributed information.



2. Develop a mechanism for version control to ensure the ability to identify which version of a publication is being accessed.

#### **IV. Technical and Implementation**

- A. GPO must play a leadership role in the transition from documents to digital assets. In particular, GPO should:
  1. Continue to play a prominent role and be a leader in establishing standards for metadata, digital preservation, and a digital repository for Federal publications and the varied formats of Federal information.
  2. Continue to collaborate with LC and other Federal agencies in developing best practices for digitization, and continue working with the [FADGI](#) group to increase use of the highest standards when digitizing materials for permanent preservation and access.
  3. Share best practices learned from the U.S. Congressional Serial Set project and other digitization efforts with the broader community.
  4. Meeting the intent of Section 508, reach out to OMB about developing Government-wide standards for these functions to resolve the issue of diverse standards for digital archiving, preservation, and metadata creation.
  5. Develop a system to link to agency repository content via the [CGP](#) rather than catalog agency publications that reside in the agencies' repositories to avoid duplication of effort and increase access.
  6. Move away from acquiring information resources in tangible format and shift acquisitions activities to finding information in scope of the FDLP that is not in either [GovInfo](#), in official digital partnership collections, or in digital agency repositories.
  7. Provide clear guidance regarding maintaining legacy print collections and which of those materials selective FDLs will need to retain, as well as provide clear guidance regarding maintaining and retaining electronic publications.
  8. Develop or enhance the security, disaster recovery, redundancy, and resilience of the components (e.g., networks, servers, content) that comprise an all-digital FDLP to ensure continuity of service in times of natural disasters, network outages, malicious hacking, or other events.

#### **V. Training, Transition, and Capacity Building**

- A. There is a need for GPO to:
  1. Consider internal matters related to the transition to an all-digital FDLP to:
    - a) Facilitate job training for those at GPO whose work may be greatly altered or eliminated.
    - b) Provide temporary positions in GPO and LSCM (e.g., an organizational transformation consultant).

2. Consider external matters related to the transition to an all-digital FDLP to:
  - a) Factor FDL situations as they vary in size, staffing, infrastructure, and other capabilities. GPO will need to work with the FDL community regarding their ability to fully implement an all-digital FDLP.
  - b) Consider the increased need for training on skills specific to technologies and software for finding and managing digital publications.
  - c) Develop and provide collaborative training efforts by the FDL community.
  - d) Develop lifecycle management tools for digital documents in GPO and in FDLs.
  - e) Request increased appropriations for infrastructure modernization and increased capacity to digitize legacy print collections.
  - f) Expand capacity for acquisition and preservation of born-digital publications not provided by agencies.
  - g) Examine (GPO) implications of asserting Federal ownership over digital files distributed to libraries.
3. Consider ongoing and continuous learning matters related to an all-digital FDLP to:
  - a) Provide training resources for LSCM staff to become a learning organization that provides continuous training for staff to learn the new systems as they become available, as well as training existing staff to adapt to new techniques and perform their work with new tools.
  - b) Increase and diversify outreach and training support to the FDLP community as the Program transitions, including facilitating communities of practice.

## **VI. Collaborations, Partnerships, and Relationships**

### **A. GPO should:**

1. Explore, develop, and expand partnerships with agencies (such as the National Telecommunications and Information Administration, Department of Commerce), libraries (e.g., National Library Service for the Blind and Print Disabled at the Library of Congress, Network Libraries (NLS)), and others to work towards ensuring ubiquity of access to broadband and technologies to mitigate the multiple digital divides. Coordinate efforts to digitize historical publications, and foster collaborative arrangements to avoid duplication of effort and reduce costs.
2. Continue to encourage such collaborative efforts and provide incentives for joining or implementing programs.
3. Develop stronger relationships with publications managers in Federal agencies to suggest ways that agencies can cooperate with GPO to

ensure permanent public access to their born-digital publications. This includes developing an outreach plan to target agency printing staff, web publishing staff, and Federal agency library staff, whether in the FDLP or not.

4. Encourage agencies to develop written agreements with the FDLP to share metadata and maintain access to the content of their digital repositories.
5. Expand staff participation in Government-wide discussions about digital assets. GPO can assist agencies that are considering establishing digital repositories by sharing information about quality control standards, Trustworthy Digital Repository designation, and CoreTrustSeal certification.

## **VII. Operations and Services**

### **A. GPO should:**

1. Expand and authorize implementation of the Regional Depository Libraries Online Selection Policy to other eligible titles.
2. Investigate new and enhanced bibliographic record distribution services to FDLs to increase access to Government information through library catalogs.
3. Offer all FDLs the opportunity to receive subject and geographic area based bibliographic record sets tailored to the profiled needs of individual libraries (i.e., like the service GPO currently offers to Tribal College Libraries and Historically Black Colleges and Universities).

## **VIII. Title 44, Legislation, and Policy Actions**

### **A. There is a need to:**

1. Consider the [GPO legislative proposals from 2022](#) as necessary, but not sufficient for an all-digital FDLP; they represent the minimum needed to modernize the FDLP, but alone do not fully account for an all-digital FDLP as envisioned by the Task Force.
2. Explore a combination of legislative, administrative, and discretionary options to increase agency engagement with the FDLP.
3. Revise the statutory authority of the FDLP that currently exists in Chapter 19 of Title 44 regardless of whether or not there are changes in the current FDLP model.
4. Review Title 44 regarding the requirement for agencies to report publications to the FDLP. The goal to ensure no-fee access to Government information may be achieved through multiple pathways in a digital environment, and Title 44 should be updated to reflect this reality.
5. Revise §1710 and §1711 of Title 44, which set out GPO's responsibility for cataloging and indexing, to require GPO to maintain a Government-wide bibliography without specifying the manner in which this should be accomplished.