



Office of the Superintendent of Documents

**SUPERINTENDENT OF DOCUMENTS
PUBLIC POLICY STATEMENT
2022-2**

EFFECTIVE: 11/15/2022

Supersedes

SOD-PPS-2020-1

Effective Date: 10/01/2020

SUBJECT: *Government Publications Authorized for Discard by Regional Depository Libraries*

PURPOSE

To allow regional depository libraries the option to discard certain tangible materials which have been retained by the regional for a specified length of time if permanent public access to an authenticated digital version of the discarded material is available on the U.S. Government Publishing Office's (GPO) online system of record, from Digital Preservation Steward repositories, or from a Federal agency trustworthy digital repository.

The goal of this policy is to give regional depository libraries more flexibility to manage their depository collections, which will allow them to:

- Obtain relief from space problems resulting from the retention requirement in 44 U.S.C. § 1912.
- Adjust depository collections to meet local needs, and to focus on the needs of a growing population of library patrons, including the public at large, which increasingly obtain information in digital formats.

This policy will not impair the comprehensiveness of the Federal Depository Library Program (FDLP) collection nationwide, rather, it will advance the intent of the FDLP, and the National Collection of U.S. Government Public Information, to be available for the "free use" of the public, as provided in 44 U.S.C. § 1911, as well as GPO's mission of *America Informed*.

BACKGROUND

Responsibility for retention of depository materials by regional depository libraries is found in 44 United States Code §1912, which states:

[regional depository libraries] will, in addition to fulfilling the requirements for depository libraries, retain at least one copy of all

Government publications either in printed or microfacsimile form (except those authorized to be discarded by the Superintendent of Documents) ...

This provision of section 1912 has been in place since the Depository Library Act of 1962, Pub.L. 87-579, which established regional depository libraries.

GPO has over 20 years of successful experience providing access to digital Government information, and today, approximately 97% of materials disseminated through the FDLP are online. Through electronic dissemination of Government information, GPO and libraries are serving vast numbers of users who do not physically come into the library yet are accessing information and library resources from locations and at times that are convenient to them. This trend is accelerating. Additionally, depository library coordinators report that users who do come to the library often express a preference for online tools and formats, and use the library's computers to find and download the digital information they need.

GPO's GovInfo is a content management system, a preservation repository, and GPO's system of record for providing free online access to official Federal electronic information. Furthermore, it securely controls digital content throughout its lifecycle to ensure content integrity and authenticity. In December 2021 GovInfo was recertified as a Trustworthy Digital Repository (TDR) under ISO 16363.

Federal agencies also have repositories for their online content. In 2013, the White House Office of Science and Technology Policy (OSTP) issued a memorandum titled "Increasing Access to the Results of Federally Funded Scientific Research." The OSTP memorandum requires Government agencies to select one or more digital repositories to host their products, ensuring the long-term preservation, public access, and authenticity of federally funded scientific publications and data. In accordance with the collection development plan for GPO's system of online access, and as good stewards of taxpayer dollars, GPO will not replicate Federal agency repositories in GovInfo.

In a letter dated July 10, 2015, to Honorable Gregg Harper, Chairman of the Joint Committee on Printing (JCP), GPO Director Davita Vance-Cooks requested the approval to provide regional depository libraries the option to withdraw tangible materials in print, CD-ROM, or microfiche from their collections when an equivalent digital copy is available on FDsys¹ with a digital signature of the Superintendent of Documents. GPO received JCP approval of the draft policy on August 5, 2015, with an added stipulation that "a minimum of four tangible copies of the publication exist in the FDLP distributed geographically." This, the Chairman asserted, "will enable the Program to accomplish its goals while also providing the necessary access to the materials." The four geographically dispersed areas, now called National Collection Service Areas (NCSA), were created to ensure the minimum level of tangible copies is maintained and there is public access to them.

¹ In 2015, GPO's Federal Digital System or FDsys was formerly the online system of record. It was replaced by GovInfo in December 2018.

POLICY

Regional depository libraries are authorized to discard tangible depository materials in their collections under the following conditions:

- (1) Notification was made by the Superintendent of Documents that the publication is authorized for discard in the regional depository library's National Collection Service Area, based on the following criteria:
 - a. The publication was retained by the regional in tangible form for a period of at least five years from the date of receipt, processing, or shipping list; and
 - b. An equivalent version is accessible from GPO's GovInfo, from a Digital Preservation Steward repository, or from a Federal agency trustworthy digital repository, in a format that meets the standards of the Superintendent of Documents as verifiably authentic; and
 - c. At least one Preservation Steward agreement is in place within the regional depository's National Collection Service Area.
 - d. The regional must obtain prior authorization to discard from the Superintendent of Documents, in order to ensure that no fewer than four (4) geographically dispersed tangible copies are retained within the Program for access and preservation.
 - e. Regional depository libraries that discard publications under (1) of this policy must first offer them to selective depository libraries they serve, and then other depository libraries nationwide and to GPO.

OR

- (2) The publication is superseded or later issued in bound form, per 44 U.S.C. §1911.

OR

- (3) Advanced approval of the Superintendent of Documents must be obtained by regional depository libraries in order to discard depository materials for any reason other than those above, or elsewhere in the Legal Requirements and Program Regulations of the Federal Depository Library Program.

Nothing in this policy requires a regional depository library to dispose of tangible publications because there is an authenticated Government version online.

DEFINITIONS

authentic	Content that is verified by GPO to be complete and unaltered when compared to the version approved or published by the Content Originator.
Digital Preservation Steward	Digital Preservation Stewards, through a partnership agreement, make a commitment to retain, preserve, and

	provide no-fee public access to specified digital publications within scope of the National Collection of U.S. Government Public Information.
digital signature	A cryptographic code consisting of a hash, to indicate that the data has not changed, encrypted with the public key of the creator or the signer. A digital signature identifies the signer and verifies the integrity of the data.
equivalent	Online versions of Government information dissemination products are said to be equivalent when its content includes the entirety of the content of the tangible product.
information dissemination product	Any book, paper, map, machine-readable material, audiovisual production, or other documentary material, regardless of physical form or characteristic, disseminated by an agency to the public.
National Collection Service Areas	Groupings of Federal depository libraries into four regions of the country as a means of ensuring geographically dispersed permanent public access to Federal Government information products, sharing resources among depository libraries, and receiving services from LSCM. The NCSAs are: Northeast, South, Midwest, and West
official content	Content that is approved by, contributed by, or harvested from an official source in accordance with accepted Federal Depository Library Program specifications.
permanent public access	Available for use by the general public today and for future generations.
Preservation Steward	Preservation Stewards are partners that commit to retain and preserve specified tangible publications of the National Collection of U.S. Government Public Information for the length of the partnership agreement. This includes both preventive maintenance and conservation treatments. Preservation Stewards may be for legacy publications, or for new publications that a library is currently selecting and upon receipt will continue to hold for the duration of the agreement.
tangible	Refers to information conveyed on a physical medium.
trustworthy digital repository	A digital repository is considered trustworthy when it has a mission to provide reliable, long-term access to digital resources to its Designated Community, now, and into the future. To fulfill this mission, a trustworthy digital repository is committed to the continuous monitoring of risks to its systems and responsibilities, ongoing strategic action and technology implementation to meet the needs of its

Designated Community, and regularly ensure the transparency of its preservation and assessment activities to the public.

APPLICATION

The Superintendent of Documents is responsible for ensuring that regional depository libraries retain all depository materials that are not authorized for discard under this policy or any other FDLF requirement.

In the application of this policy Preservation Stewards and Digital Preservation Stewards may include:

- Regional and selective Federal depository libraries.
- The Library of Congress.
- U.S. national libraries.
- Federal agency libraries.
- Various types of libraries: academic libraries, law, public, state, etc.
- Library consortia.
- Federal agencies.
- National Archives and Records Administration.
- Associations.
- Public and private sector enterprises.
- Others interested in access to and preservation of Government information.

APPROVED

11/14/2022

SCOTT MATHESON
Superintendent of Documents

Date