

SUPERINTEDENT OF DOCUMENTS
PUBLIC POLICY STATEMENT

X-2023

EFFECTIVE: XX/XX/ 2023

Supersedes

No.: SOD 110

Effective Date: 07/18/2011

SUBJECT: Withdrawal of Federal information products from the National Collection of U.S. Government Public Information and GPO's online U.S. Government Bookstore

PURPOSE

To provide guidance for when Congress or a publishing Federal agency requests the withdrawal, withholding, or restriction of access to information products or services available from the Superintendent of Documents' Public Information Programs (PIPs).

BACKGROUND

The U.S. Government Publishing Office (GPO) has been the Government's principal agent for providing public access to Government information for over a century. This is accomplished through the Federal Depository Library Program (FDLP), the Cataloging and Indexing Program (C&I), GPO's System of Online Access,¹ the National Collection of U.S. Government Public Information (National Collection), and GPO's online U.S. Government Bookstore (Bookstore).

The National Collection is a geographically dispersed collection of the corpus of Federal Government public information, accessible to the public at no cost. The resources sent to depository libraries through the FDLP make up the tangible portion of the National Collection. GovInfo provides the core of the National Collection's digital content, along with the content in the FDLP Web Archive, and in digital access, and digital preservation steward partners' repositories.

The publishing Federal agency is responsible for determining:

- The security level (classification) of its information products;

¹ At the time of the issuance of this policy, GovInfo is GPO's online system of record. This policy will be valid with GovInfo or any successor online system of record.

- If withdrawal, withholding, or restriction of access is necessary; and
- Information products releasable under the FOIA.

Further, there are Federal requirements to protect information, such as the Privacy Act of 1974 and the E-Government Act of 2002, which establish Federal agency responsibilities to protect personal information, and to ensure its security. Under the Federal Information Security Management Act of 2002, Federal agencies must develop, document, and implement programs and processes to protect their information and information systems. The GPO takes very seriously any Congressional or Federal agency request to restrict access to Government information that has been made public. However, the GPO cooperates with Congressional and Federal agency requests to ensure the appropriate distribution of their official publications.

Reasons possibly warranting an Action include:

- (1) Production (printing, software, mastering, etc.) errors;
- (2) Content (editorial) errors;
- (3) Presence of Classified material or material that a publishing Federal agency officially designates Sensitive But Unclassified including:
 - a) Information covered under the Privacy Act or the E-Government Act;
 - b) Protected Critical Infrastructure Information; or
 - c) Controlled Unclassified Information covered by FOIA exemptions; or
- (4) Presence of material that is strictly administrative or marked For Official Use Only (FOUO) distributed in error, unless subject to release under the Freedom of Information Act or is of educational value.

POLICY

GENERAL PROVISIONS

- (1) Implementation of and records relating to this policy are the responsibility of the GPO's Managing Director of Library Services and Content Management (LSCM), who will coordinate actions to be taken by staff within the Superintendent of Documents organization to withdraw the product from collections or distribution services. It is the responsibility of the LSCM Managing Director to collect and maintain all written records, forms, and other information associated with an Action.
- (2) The Superintendent of Documents requires the publishing Federal agency head or designee to initiate an official request to withdraw, withhold, or restrict access to an information product of the National Collection, including, but not limited to, holdings in Federal depository libraries, GovInfo, the FDLP Web Archive, or

Bookstore stock.

- (3) If information is discovered in a publishing Federal agency's information product that warrants an Action and the agency fails to respond to GPO inquiries regarding a publication could result in the document's removal until the issue is resolved.
- (4) Prior to issuing an official directive for an Action, the Superintendent of Documents, or a designee, will:
 - a) Contact the authorizing official of the publishing Federal agency (head of the publishing agency or designee) requesting a meeting to discuss the reason for the Action and its potential impact.
 - b) Explain alternative actions the publishing Federal agency may pursue in lieu of withdrawal. If the publishing Federal agency suspects a potential problem but does not yet have a final decision regarding the withdrawal, it may request an information product that has not yet been disseminated "be held" for a limited period of time until a final determination is made.
 - c) Determine, jointly with the publishing Federal agency, the most appropriate course of action to be taken. If there is not agreement on the course of action to take, the decision of the publishing Federal agency will be final.

REMOVAL OF GOVINFO AND FDLP WEB ARCHIVE CONTENT FROM PUBLIC ACCESS

(1) Temporary Removal

- a) Digital content in GovInfo or the FDLP Web Archive found to contain high-impact personally identifiable information (PII) will be removed from public access, reviewed for redaction, redacted if appropriate, and returned to public access as soon as possible. The preservation version remains unredacted. Some collections or titles are not eligible for redaction based on instruction from the publishing Federal agency.
- b) When the privacy time frame expires (e.g., 72 years) the content is returned to public access.
- c) GovInfo or FDLP Web Archive files removed because of content or production errors are to be replaced by corrected copies as expeditiously as possible.

(2) Permanent Removal

- a) GovInfo or FDLP Web Archive content removed from public access for security or sensitive classification reasons at the request of the issuing Federal agency is retained in the preservation repository of GovInfo.
- b) The National Archives and Records Administration (NARA) is to be notified of content removed from GovInfo when there is a post-hoc effort to remove what previously had been publicly available information.

- c) Should the content be declassified, or the restriction lifted, the content is returned to public access.
- (3) GPO will notify Digital Preservation Stewards and Digital Content Contributor partners of the temporary and permanent removal actions. They will check their digital content and take similar actions.

REMOVAL OF TANGIBLE PRODUCTS FROM FEDERAL DEPOSITORY LIBRARIES

- (1) Temporary Removal
 - a) Government information products temporarily withdrawn from the National Collection because of printing or content errors are to be replaced as expeditiously as possible.
 - b) The official notification to Federal depository libraries will include an explanation of when and how the items will be replaced.
- (2) Permanent Removal
 - a) Copies of withdrawn tangible items are transferred to a collection held by the National Archives and Records Administration without public access until such time as the restriction is lifted.
 - b) If the restriction is lifted, the content will be digitized and returned to public access through ingest into GovInfo.

REMOVAL OF CONTENT FROM THE U.S. GOVERNMENT BOOKSTORE (BOOKSTORE)

- (1) GPO's Managing Director of Library Services and Content Management will notify the Chief of Publication & Information Sales to freeze Bookstore bulk stock and retail bin locations when:
 - a) A request from an agency is received to withhold publications from distribution.
 - b) A publication has been withdrawn from Federal depository libraries at the request of a publishing Federal agency.
- (2) Temporary Removal
 - a) Stock items frozen for internal processing reasons, e.g., inventories or stock balance adjustments, will not remain in a frozen status for more than ten business days.
 - b) Government information products temporarily withdrawn from the Bookstore stock because of printing or content errors are to be replaced as expeditiously as possible.
 - c) The publishing Federal agency will be contacted for disposal procedures for the replaced stock.
- (3) Permanent Removal

- a) GPO receives a request from an agency to withhold publications from distribution.
- b) A publication has been withdrawn from Federal depository libraries at the request of a publishing Federal agency.
- c) Records in the Bookstore will be updated to indicate an “Out of Print” status and the system will not accept additional orders.
- d) Stock items frozen at the request of a publishing Federal agency will be reviewed and the agency contacted for disposal procedures.

BIBLIOGRAPHIC RECORDS

The bibliographic records in the *Catalog of U.S. Government Publications* (CGP) for all withdrawn titles, regardless of format, will be retained and updated with an appropriate note regarding removal from public access.

LIMITATIONS

This policy pertains to all U.S. Government information products and services subject to the jurisdiction of the Superintendent of Documents. However, the following apply:

- (1) Under the Publication and Information Sales program, once sold, products are no longer the property of the Federal Government and are not subject to the same provisions as those held by Federal depository libraries. However, in cases of national security, as determined by the publishing Federal agency, GPO will work with agencies to determine what retrieval actions, if any, are feasible.
- (2) Products disseminated through the International Exchange Service (IES) are distributed under international treaty. For actions involving these products, the Superintendent of Documents will consult with the Library of Congress to jointly determine what actions, if any, are feasible.
- (3) A situation may arise that a publishing Federal agency determines to be an emergency. Such situations will be handled with the utmost expediency as determined by the Superintendent of Documents.
- (4) Content in the GovInfo U.S. Courts Opinions Collection that is sealed will be removed at the request of the appropriate court, through the Administrative Office of the U.S. Courts.
- (5) The Internet Archive, Google Books, and HathiTrust are to be notified by GPO and asked that they consider removing any Government digital content that has been withdrawn in accordance with this policy.

APPLICATION

This policy applies to all appropriate elements of the Superintendent of Documents Public Information Programs. The Superintendent of Documents, through the Managing Director of Library Services and Content Management and the Managing Director of Publication and Information Sales, must authorize any exceptions to this policy.

APPROVED

SCOTT MATHESON
Superintendent of Documents

Date

Final Draft