

**SUPERINTEDEDENT OF DOCUMENTS
POLICY STATEMENT**

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Supersedes

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Subject: Withdrawal of Federal Information Products from GPO's Superintendent of Documents (SuDoc) Programs

Purpose

To provide guidance and instruction for official agency and Congressional requests to withdraw, withhold or restrict access to information products or services available from GPO's Superintendent of Documents programs administered through Library Services and Content Management (LSCM) by the Superintendent of Documents (SuDoc).

Background

The GPO has been the Government's principal agent for providing public access to Government information for over a century. The GPO takes very seriously any Congressional or Federal agency's request to restrict access to Government information that has been made public. However, the GPO cooperates with Congressional and Federal agency requests in the appropriate distribution of the official information they publish.

Policy

The Federal publishing agency is responsible for its own information products and, therefore only the agency:

- 1). Determines the classification (security level) of its information products;
- 2). Determines if withdrawal, withholding or restriction of access is necessary; and
- 3). Determines information products releasable under the FOIA.

GPO SuDoc requires the federal publishing agency head or designee to initiate an official request to withdraw, withhold, or restrict access to an information product.

A. First Contact

- 1). Federal publishing agency personnel contact GPO SuDoc to:
 - a. Inform GPO about a problem with a publication that may warrant withdrawal,

withholding, replacement or removal of that publication from continued public access; or
b. Inquire about procedures for withdrawal, withholding, or restricting access to an agency publication.

2). If LSCM becomes aware of personally identifiable information (PII) within a publication through a source other than the publishing agency, LSCM staff will complete a PII incident report and contact GPO's Privacy Officer as per SOD 317. If the material is Congressional in nature, LSCM will also contact the Office of Congressional Publishing Services to report the incident.

B. Problems possibly warranting an Action include:

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

C. Referral to Director, Library Services and Content Management

Once first contact is made with GPO, the Superintendent of Documents' office receiving the initial contact from the publishing agency will immediately notify the Director, Library Services and Content Management providing the agency contact information, available product information and nature of the inquiry. If an LSCM staff member becomes aware of PII within a publication through a source other than the publishing agency or the Superintendent of Documents' office, that staff member will notify the Director of LSCM or his/her supervisor who will notify the Director who will take necessary action.

D. Initial Research. The Director, Library Services and Content Management will request research to fully identify the information product and verify that GPO Superintendent of Documents programs distributed the item. Specifically, the research will include:

- 1). The bibliographic description of the information product;
- 2). The timeframe and nature of original receipt of the document by GPO including review of the original Standard Form-1 (SF-1) or orders submitted under direct deal contracts with official agency identifier and distribution instructions that may be useful in the event of a recall;
- 3). The dissemination actions undertaken by GPO (formats in which distributed and to whom, including quantities, if applicable);
- 4). The options available to withdraw, withhold or restrict access to the information page;

5). If circumstances warrant, consultation with the Office of the General Counsel to ascertain the legality of the action.

- E. Confirmation and Verification. Once the initial research has been completed, the Director, Library Services and Content Management will contact the publishing agency, the Office of Congressional Publishing Services if the material is Congressional in origin or GPO's Privacy Officer if the incident involves personally identifiable information, to:
- 1). Confirm the initial request or discovery;
 - 2). Share additional information obtained through the research;
 - 3). Advise the publishing agency about GPO policy for such actions, including publishing agency responsibilities associated with removing and returning items to stock and refunds to sales customers, if applicable;
 - 4). Discuss alternative actions;
 - 5). Assess alternatives;
 - 6). Determine agency or Congressional intent to pursue an Action; and
 - 7). If the agency or Congressional division intends to proceed, request any missing documentation necessary to make the request complete and official.

F. Intent to Withdraw, Withhold or Restrict Access by a Publishing Agency or Congressional Division

If after confirmation and verification, the publishing agency or Congressional division, through the Office of Congressional Publishing, remains steadfast in its desire to initiate an Action, the Director, Library Services and Content Management will notify the Superintendent of Documents and provide a briefing based upon the initial research. The briefing will include cost estimates for GPO and the federal publishing agency and a description of anticipated consequences, if applicable.

G. Superintendent of Documents

Prior to issuing an official directive for an Action, the Superintendent of Documents will:

- 1). Contact the authorizing official of the publishing agency (head of the publishing agency or designee) requesting an Action to discuss the reason for the Action and its potential impact.
- 2). Explain alternative actions the publishing agency may pursue in lieu of withdrawal. If the publishing 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.
- 3). Determine, jointly with the publishing agency, the most appropriate course of action to be taken. Options available may include:
 - a. Do nothing;
 - b. Temporarily holding stock held by GPO pending official decision, including freezing the sales record;

- c. Removal from the current Publication and Information Sales Program;
 - d. Return to the publishing agency stock held by GPO, but not distributed;
 - e. Recall from depository libraries by return to GPO, or the publishing agency with or without an audit to ensure compliance; and
 - f. Removal of online access. The bibliographic record will remain in GPO's Integrated Library System with an annotation about the Action, unless the record is deemed classified.
- 4). Explain the costs, if any, to the publishing agency when an action is taken. Costs may include one or more of the following:
 - a. Reimbursement of GPO's initial production and dissemination costs and the value of the inventory, if any;
 - b. Reimbursement of GPO's production and dissemination of replacement items;
 - c. Expenses for issuing a recall and auditing copies returned by depository libraries or purchasers; and
 - d. Expenses for refunding the purchase price to Publication and Information Sales Program customers.
 - 5). Determine jointly with the federal publishing agency the content and nature of an announcement, including specific instructions; to the Federal Depository Libraries.
 - 6). Explain the notification of Depository Library Council and professional library associations.
 - 7). Obtain final agency decision and request an official agency notification in written format, with the signature of the agency head or designated senior management official, requesting the Action.
- H. Official Request The official request from the publishing agency must be made in writing to the Superintendent of Documents. It may be submitted by fax to expedite receipt and initiation of Action, but the signed original document shall be delivered. The official request must include the following:
- 1). Detailed bibliographic information to identify the information product;
 - 2). Reason for the Action;
 - 3). Description of the desired actions to be taken;
 - 4). Desired effective date for the Action;
 - 5). Signed statement from the publishing agency head, or authorized designee providing the authority for the action, responsibility for and acceptance of costs, if any, associated with the Action; and
 - 6). Contact information (phone, fax, and e-mail) for the agency official authorized to approve the Action.

- I. Official Communications The Superintendent of Documents will ensure that appropriate official communications are prepared for and provided to the following entities:
- 1). The publishing agency will receive written confirmation of the action(s) being taken by GPO SuDoc and agreement concerning the costs associated with the action, if any.
 - 2). The Library Services and Content Management Service Directors, Director, Publication and Information Sales, the Director of Program Support, the Public Printer, the Chief of Staff, and the Chief Communications Officer will be notified in writing of the actions to be undertaken in response to the official request. If appropriate, the Chief Communications Officer will work with the Chief Communications office of the publishing agency to coordinate responses to press inquiries. The Chief Communications Officer will notify the authorizing committees and consult with other Congressional committees, if appropriate.
 - 3). Depository Library Council members will also be given advance notice.
 - 4). Depending upon the content of the publications major library associations (American Library Association, American Association of Law Libraries, Association of Research Libraries, Special Libraries Association, and Medical Libraries Association) will also be notified.
 - 5). Depository libraries and Publication and Information Sales program customers will receive official recall notices or other appropriate instruction notices about the Action.
- J. Final Review and Consultation When written communications are finalized, the Superintendent of Documents will:
- 1). Review all communications and consult one more time with the publishing agency to ensure complete understanding of the actions, responsibilities for and possible ramifications of the Action;
 - 2). Ensure that Federal Depository Libraries understand that information products disseminated through the FDLP are federal property, and therefore, subject to recall by the federal government. As such, depository libraries are required to comply with the withdrawal request. Failure to comply is a breach of the partnership between GPO and Federal Depository Libraries and will be subject to review and appropriate action.
- K. Implementation and Record of Actions Implementation of the Action is the responsibility of the Director, Library Services and Content Management who will coordinate actions to be taken by the SuDoc organization to withdraw the product from collections or distribution services. It is the responsibility of the Director, Library Services and Content Management to collect and maintain all written records, forms, and other information associated with an Action. The Director, Library Services and Content Management ensures:
- 1). Copies of withdrawn tangible items are transferred to the a collection held by GPO and/or an equivalent collection of the National Archives and Records Administration to be held without public access until such time as the restriction is lifted. If (when) the restriction is lifted, the content will be returned to public access through the

appropriate SuDoc collections or distribution programs.

- 2). Copies of electronic files withdrawn from *FDsys/GPO Access* or the GPO electronic archive are maintained in the Federal Depository Library Program Electronic Collection and/or an equivalent collection of the National Archives and Records Administration to be held without public access until such time as the restriction is lifted. If (when) the restriction is lifted, the content is returned to public access through the appropriate Superintendent of Documents programs.
- 3). The online bibliographic record will be maintained and annotated appropriately.
- 4). Information products withdrawn because of printing or content errors are to be replaced as expeditiously as possible and the official notification to Federal Depository Libraries will include an explanation of when and how the items will be replaced.
- 5). Compilation of a written report on the action is provided to the Director, Library Services and Content Management.

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 limitations apply.

- 1). Under the Publication and Information Sales program, once sold, products are no longer the property of the Federal government and not subject to the same provisions as the materials held by Federal Depository Libraries. However, in cases of national security as determined by the federal publishing agency, GPO will work with agencies to determine what retrieval actions, if any, may be feasible.
- 2). Products disseminated through the International Exchange Service (IES) are distributed under international treaty. For Actions involving such materials, SuDoc will consult with the appropriate officials of the Library of Congress to jointly determine what actions, if any, may be feasible.
- 3). A situation may arise that a federal publishing agency determines to be an emergency. Such situations will be handled with the utmost expediency as determined by the Superintendent of Documents.

Application

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

References

SOD 103, *Freezing of Sales Publications and Subscription Service/Issues*

SOD 107, *Disposal of Excess, Obsolete, Damaged, and Destroyed Information products*

SOD 317, *Personally Identifiable Information in Government Information Dissemination Products Distributed through the Federal Depository Library Program*

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