



July 10, 2015

The Honorable Gregg Harper  
Chairman  
Joint Committee on Printing  
1309 Longworth House Office Building  
Washington, DC 20515

Dear Mr. Chairman:

On the recommendation of the Superintendent of Documents, I am writing to request the approval of the Joint Committee on Printing to give regional Federal depository libraries the option to withdraw tangible depository materials in print, CD-ROM, or microfiche, (formerly known as microfacsimil ) from their collections, provided they have been retained by the regional library for a minimum of seven years and are available on GPO's Federal Digital System (FDsys) in authentic, digitally-signed formats. The objective is to give regional depository libraries a means for relieving space problems resulting from the requirement that they retain permanently, in tangible form, all Government publications they receive from the Federal Depository Library Program (FDLP).

This proposal is analogous to the longstanding statutory guidelines of the FDLP, found in the language of sections 1911 and 1912 of Title 44, U.S.C., which allow regional depository libraries to use a substitute format for print—microfacsimile—in meeting the requirement for permanent retention of Government documents. It is consistent with the recent recommendation of the National Academy of Public Administration that GPO work with depository libraries to give them “the flexibility and tools they need to provide permanent public access to Government information in the digital age.” The authority for implementing this proposal is found in the language of section 1914 of Title 44, U.S.C, under which the Joint Committee on Printing may authorize the Director of the Government Publishing Office to use any measures she “considers necessary for the economical and practical implementation” of the Federal Depository Library Program (FDLP).

**Background** As you know, the Depository Library Act of 1962, codified at chapter 19 of Title 44, requires regional depository libraries, which are limited to two per state, to receive all Government publications distributed by the FDLP, and to retain them permanently. In contrast, the far more numerous selective depository libraries may choose the Government publications they receive based on their local needs, and may dispose of the publications they receive, with the permission of their regional library, after retention for five years.

When the 1962 Act was passed, it permitted regional depository libraries to substitute space-saving microfacsimile for printed publications as a practical means of dealing with document storage limitations. As the House Administration Committee noted in its report at the time of the



1962 Act, “[t]he Committee was of the opinion that inclusion of the provision to supply microfacsimile copies of Government publications would afford the means necessary for regional depository libraries to obtain needed relief from their growing space problems” (H. Rept. 724 accompanying H.R. 8141, 87<sup>th</sup> Congress, 1<sup>st</sup> sess., 1961).

In spite of Congress’s intention, however, the option to substitute microfacsimile for print no longer sufficiently alleviates the space problems of regional depository libraries. A survey of regional depository librarians conducted pursuant to GPO’s recent FDLP Forecast Study shows that they face critical space limitations for tangible collections as they strive to provide their patrons with modern services under continuing fiscal constraints. In some cases, these conditions are motivating regional libraries to remove their collections from the library to off-site storage, while in others they are inducing regional libraries to leave the FDLP altogether (two regional depository libraries have relinquished their regional status since 2011 and an additional two are reportedly contemplating relinquishing their status). The librarians’ responses to the Forecast Study indicate a strong desire for increased flexibility to effectively manage their depository resources, including the ability to adjust their Government document collections to meet local needs and to expand their capability to serve the increasing number of remote users. Their responses also stress the need for digital Government content to be formally recognized as a viable alternative format for regional depository libraries, just as microfacsimile was recognized more than a half century ago.

In addition to alleviating space problems, freeing greater resources to focus on the needs of a growing population of library patrons and the public at large, which increasingly obtain information in digital formats, advances the intent of the FDLP 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 Keeping America Informed. These goals are impaired when space limitations result in the relocation of tangible collections to offsite storage or the withdrawal of regional libraries from the FDLP.

**Proposal** To help address these concerns, I am proposing that regional depository libraries be permitted to withdraw tangible depository materials in print, CD-ROM, or microfiche formats from their collections under the following conditions:

- (1) When the publication has been retained by the regional in tangible form for a period of seven years from the date of receipt, processing, or shipping list date; and
- (2) Is available on GPO’s FDsys in a format that meets the standards of the Superintendent of Documents as authentic and with the Superintendent’s digital signature.

This proposal, to be implemented by a directive issued by the Superintendent, would supplement the language of section 1911 of Title 44 which permits regional depository libraries to retain Government publications either in print or microfacsimile, except superseded publications or those later issued in bound form which may be discarded as authorized by the Superintendent.



The body of Government publications eligible for the application of this proposed authority currently comprises more than one million titles, and includes all those with authentic and digitally-signed equivalents on FDsys extending back to the inception of GPO's online dissemination capability in 1994, as well as any Government publications from other periods of time that have been digitized and made available on FDsys. Government publications made digitally available by other, non-FDsys sources would not be eligible for withdrawal under this authority. To safeguard the historical documents of our democracy, as recommended by the National Academy of Public Administration, GPO is working with depository libraries and other library groups to develop a comprehensive plan for preserving the print collection of Government documents, including a process for ingesting digitized copies into FDsys.

By assuring that the withdrawal of tangible copies is matched with a digitally-signed equivalent that is permanently available on FDsys, the comprehensiveness of the FDL P collection nationwide would not be impaired. The withdrawal of tangible materials would be entirely optional by the libraries and would depend on a regional depository library's assessment of its own needs, the needs of the selective depository libraries it supports, and the needs of library patrons.

**Summary** GPO recognizes that the authority requested here will not resolve all of the challenges facing regional depository libraries and the FDL P today. To modernize this essential program, a restructuring will be required to address the momentous changes in technology, Government information user requirements, and both GPO and depository library funding mechanisms that have occurred since passage of the Depository Library Act in 1962. This restructuring is an objective GPO has begun working towards with its Forecast Study and with the development of a national plan for the FDL P. In the meantime, I believe this proposal will provide regional depository libraries with a measure of immediate relief and flexibility in meeting critical space and funding shortages, supported by the technology capabilities that are available today in GPO's FDsys.

Accordingly, pursuant to 44 U.S.C. § 1914, I respectfully request the Committee's approval for authority to allow regional depository libraries to withdraw tangible versions of Government publications from their collections if the above conditions are met. If you need additional information, please do not hesitate to contact GPO's Chief of Staff, Mr. Andrew Sherman, on 202-512-1991, or by email at [asherman@gpo.gov](mailto:asherman@gpo.gov).

Sincerely,

DAVITA VANCE-COOKS  
Director  
U.S. Government Publishing Office

Approved: \_\_\_\_\_  
Gregg Harper, Chairman

Date: \_\_\_\_\_

GREGG HARPER, MISSISSIPPI  
CHAIRMAN

CANDICE MILLER, MICHIGAN  
RODNEY DAVIS, ILLINOIS  
ROBERT BRADY, PENNSYLVANIA  
JUAN VARGAS, CALIFORNIA

# Congress of the United States

## Joint Committee on Printing

One Hundred Fourteenth Congress

Washington, D.C. 20515-6157

(202) 225-8281

ROY BLUNT, MISSOURI  
VICE CHAIRMAN

PAT ROBERTS, KANSAS  
JOHN BOOZMAN, ARKANSAS  
CHARLES SCHUMER, NEW YORK  
TOM UDALL, NEW MEXICO

August 5, 2015

The Honorable Davita E. Vance-Cooks  
U.S. Government Publishing Office  
732 North Capitol Street, N.W.  
Washington, D.C. 20401

Dear Ms. Vance-Cooks:

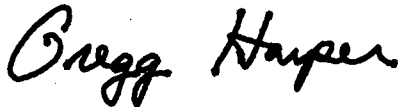
Thank you for your letter on July 10<sup>th</sup> regarding the Federal Depository Library Program (FDLP) and the proposed improvements for the retention of tangible depository materials. Your perspective on the Program is greatly appreciated.

While I approve of the two conditions for disposal outlined in your proposal, I request that the following third condition also be met:

3) A minimum of four tangible copies of the publication exist in the FDLP distributed geographically. One way to accomplish this would be to use the four regions defined by the Census Bureau.

This third stipulation will enable the Program to accomplish its goals while also providing the necessary access to the materials. If you have any questions, or if I can be of further assistance, please contact the Joint Committee on Printing at 202-225-8281.

Sincerely,



Gregg Harper  
Chairman  
Joint Committee on Printing