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Letter from the Chair

To the Membership:

It is difficult to believe that I am writing to you for the last time as chair of the SIS. It has been a very busy and productive year.

When I took office I said that making JURISDOCS a viable newsletter was my top priority. Largely because of the hard work of Jill Varga and those of you who submitted articles, I think this goal was met. We have gotten three good issues out this year and I look forward to seeing more in the future.

Lynn Foster has done an excellent job planning the convention programs for New York. Due to Lynn's hard work, we had three programs accepted for the convention. The programs and their times are:

- Directions for Federal Documents, Monday, July 8, 7:30-9:30 p.m.: A Close-up View of UN Documents, Wed., July 10, 10:30-12:00 noon; and International Documents: An Overview For the Uninitiated, Wed., July 10, 1:00-2:00 p.m. Also, don't forget the Business Meeting!

I am very pleased by the response I have received from volunteers to compile state bibliographies for Connecticut, Massachusetts, Mississippi, New York, Ohio, Pennsylvania, Tennessee and Wyoming. Those of you who attend

the Business Meeting will receive copies of these bibliographies.

The slate of candidates for the election has been mailed. The ballot will be mailed after May 1st and the election results will be announced at the Business Meeting.

I would like to thank all of the membership for your support and ideas during the past year. I want to offer a special note of thanks to the executive board - Lynn Foster, Chris Corcos and Marian Parker, for without their suggestions and help this year would have been very difficult. I look forward to seeing you all in New York!

Linda K. Fariss

Letter from the Editor

This is our pre-convention issue and completes volume 7 of JURISDOCS. A few words about this issue are in order. The G.D.S.I.S. is hosting three programs in New York. The moderator of each program has contributed a description to offer you some insight in what to expect.

Sally Holterhoff, Valparaiso University, describes changes proposed by ONI in guidelines for the collection and dissemination of information by the federal government. ONI's proposal appears quite drastic and I encourage
everyone to follow Sily's example and let our and your congressional representatives know your feelings on this issue.

Susan Tulas brings us up to date with news from the March 1985 Depository Library Council Meeting.

Mary M. Anthony offers us insight into the availability and the use of checklists of state documents in our State and Local Documents column. Anyone wishing to contribute to this column should contact Mary at the Supreme Court Library in Syracuse, N.Y.

Kevin Fredette, Indiana University Law Library in Bloomington, has contributed part one of an article on the Commission on Civil Rights, 1957-1965. Part two is scheduled for a future issue.

Veronica Maclay, Hastings College of Law Library, has compiled a bibliography of materials from the Education literature. Veronica brings to our attention some interesting material that many of us would otherwise miss.

Finally, Lynn Foster, Ohio Northern University, offers us a bibliography on "Access to Government Information." As all of Lynn's contributions, it really looks good.

I would like to take this opportunity to thank each and every one of you who contributed to volume 7 of JURISDOCS. Remember, it takes the efforts of the entire G.D.S.I.S. to produce a quality newsletter.

SEE YOU IN NEW YORK!

Bill Varga

Documents Action Committee
ACTION ALERT
by Sally Holterhoff

On March 15, an OMB Draft Circular on "Management of Federal Information Resources" was printed in the Federal Register (Vol. 50, No. 51, pp. 10733-47). Notice of the development of this circular has been published on September 12, 1983 (48 Fed. Reg. 40964-5), but the long-delayed result goes far beyond the topics proposed in that notice. The proposal outlines a future direction for information management in the federal government and has profound implications for public access to government publications for the depository system. Of particular significance for documents librarians are Sections 8 and 9, dealing with "Information Dissemination." These are discussed in the analysis which precedes the actual circular (see pp. 10735-6). In the circular itself, Sections 8 and 9 are on p. 10739.

The announced period for public comment has been extended from May 14 until mid-July. We need you to
read the circular carefully and to respond within the comment period.

Please also try to bring this circular to the attention of your library's users and urge them to reply to it as well. A wide range of response, from professors, students, and other users of government information, will be helpful. Comments are to be address-

J. Timothy Sprehe
Office of Information and Regulatory Affairs
Room 325, New Executive Office Building
Office of Management and Budget
Washington, D.C. 20503


April 15, 1985

J. Timothy Sprehe
Office of Information and Regulatory Affairs
Room 325, New Executive Office Building
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Sprehe:

I would like to make some comments on the proposed OMB Draft Circular on "Management of Federal Information Resources," which was published in the Federal Register, Vol. 50, No. 51 (March 15, 1985).

As documents librarian in a law school library and a member of several national and regional groups of law librarians, I am very interested in continued free access to government information. Such information is essential for the research needs of our library's users: law students and faculty, practicing attorneys, and individual businesses in our local community. Our library has been a federal depository library for six years, which has allowed us to build a collection of government publications which we could otherwise not have afforded.

I feel strongly that the federal information policy should acknowledge the basic responsibility of government to actively provide public access to government publications by disseminating them through the Depository Library System. Depositories are mentioned briefly as such a means of access in the "Analysis of Key Sections," Sections 8 and 9 (Fed. Reg., p. 10726), which precedes the actual circular, but they are not mentioned in the corresponding sections of the circular itself. (Fed. Reg., p. 10727).

I believe that the policy should state clearly that no matter how the government chooses to publish its information, the obligation of providing the publications free of charge to Federal Depository Libraries must continue to be fulfilled. When the framework for the present Depository Library System was set up in 1957, the goal was to give citizens free access to public documents. This has been done by distribution of documents to libraries throughout the country. The Analysis discusses the duty of agencies to take "reasonable steps" to ensure the "reasonable ability" of the public to acquire government information (Fed. Reg., p. 10726). It goes on to assert that economy in publishing is compatible with a "reasonable opportunity" for the "interested public...to receive government information by using existing dissemination mechanisms, as noted above." This stipulation, with a clearer definition of "reasonable" and the mention of depository libraries as one of the "existing dissemination mechanisms," would be an important addition to the wording of the circular itself.

Another aspect that I feel should be included is the responsibility of agencies to see that their information, if published in the private sector, still gets back to the depository system, and thus to the public, on a non-cost basis. Privatization of government information is acceptable only if it does not place undue hardship on citizens, regardless of their status, who are seeking to acquire this information. The right of the public to information access needs protection as much or more than the interests of private publishers, which are detailed in this circular.

In an increasing quantity of government information goes exclusively to the private sector,
publishers should be required to agree to provide the necessary number of copies for depository libraries, free of charge, before being allowed to offer copies for sale. The selections received by the average law school library depository would have a total cost of many thousands of dollars annually, if they were purchased. Libraries such as our own, with already tight budgets, would be forced to drastically limit the collection of government information if it were available only for purchase. Some precedence does exist for commercially published information being distributed free to depository libraries. For example, the Federal Energy Regulatory Commission Decisions are now being published by Commerce Clearing House and supplied to those depository libraries that have selected the corresponding item number in the depository system.

Another point relating to the Analysis of Sections 8 and 9 is the issue of information gathering, as affected by public demand. While it is necessary to stress practicality and to avoid duplication, the decision to create or collect information should not be based solely on economic factors. Government information has a social value not necessarily related to its cost or market value. Researchers in various fields need the wide and detailed range of statistics and analysis that only the government can provide. Information is collected by government agencies at taxpayers’ expense, and much of it should be freely available to citizens. If “public demand” is to be the deciding factor, as mentioned in the Analysis, by whom is this demand, or possible changes in demand, to be assessed? If the public is unaware that certain information is or could be available to them, how are they to communicate their interest in receiving it? If certain information is recorded or kept only on computer tape, how are private citizens, who may not have computers of their own, to use it?

The discussion of “monopolistic controls” in the Analysis of the circular is important and should be incorporated and expanded in the circular itself. When private publishers take over entirely the publication of various categories of government information, there should be competition rather than exclusive arrangements, to help ensure fair pricing. As the Analysis points out, “contractors functioning as sole suppliers for the government (can) exercise monopolistic controls in ways that defeat the agencies’ information dissemination obligations, for example, by setting unreasonably high prices” (Fed. Reg. p. 10730).

Within the circular itself, an important point is the definition of “information” stated in Section 6b, which includes “computerized data bases, paper, microform, or magnetic tape.” With increasing amounts of government data now being computerized, it is crucial that information in all forms be available to the public, as well as means to utilize it. An investigation of this issue has been reported on to the Joint Committee on Printing by the Ad Hoc Committee on Depository Library Access to Federal Automated Data Bases. I hope that the federal information policy will be broad enough to allow for computerized access through depository libraries in the future. This will be essential if citizens are to retain comparable access to materials converted from paper to electronic format.

As it now reads, the OMB Circular on “Management of Federal Information Resources” does not clearly affirm the government’s responsibility to provide public access to government information products and services, regardless of publisher, by disseminating them through the Depository Library System. I am hopeful that it is still possible to amend the policy to address this and the other concerns I have mentioned.

Sincerely,

Sally Holterhoff
Documents Librarian
Law Library
Valparaiso University
Valparaiso, Indiana 46383

cc: Senator Richard Lugar
Senator Dan Quayle
Representative Edwod Hills

Depository Library Council: March ’85
by Susan Tulis

The spring Depository Library Council meeting started off with the new Public Printer, Ralph E. Kennicott, Jr., announcing the various new appointments at GPO.
Dan Possedal has been the Acting Superintendent of Records since early January. As of next week, it will no longer be an Acting position. Mark Scully is the Director of the Library Programs Service. Sally McLean is the Chief of the Classification and Cataloging Branch. Jorge Ponce is the Section 1 Chief, Classification and Cataloging Branch. Ved Gulati has been hired as a Depository Library Inspector. Dan MacGillivray will become the GPO historian in April. Mr. Fennickell and Mr. Possedal are both very enthusiastic about their new positions and feel that they can accomplish something there. One thing that Mr. Possedal stressed was the need to look at the big picture, take a macro approach to our problems. The time is right for a National Information Policy and the Depository Library Program could be the driving force in developing this national information policy. Dan has been working on promoting the sales program through the depository system and vice versa. Mark Scully reported on the Library Programs Service - the move to downtown Washington is complete and viewed a success. The move has allowed LPS the opportunity to review and revamp procedures, and improve communication, operational efficiency, and staff morale. Even though there are still more things to be done, a lot has stabilized recently at LPS. Pat Feiling reported on the progress of the Education Task Force. As of right now, nine people will serve on the task force. She could not name Holders, since letters inviting people just went out. Pat has already done a lot of research and outlined where the task force might go from here. The Joint Committee on Printing Update was short since the membership of the committee has not been finalized yet. The leadership goes back to the Senate for the 94th Congress. Revision of the JCP Policies and Guidelines for Printing, Binding and Distribution will be introduced again this year. For those individuals interested in how the Chadha decision affects us, Mr. Zajac suggests reading his editorial in the January 1985 issue of Government Information Quarterly. The Ad Hoc Committee of Depository Library Access to Federal Automated Data Bases has issued its report which has been distributed to all congressmen. The Committee has had some responses from libraries, as well as congressmen, expressing interest in the pilot program suggested in the report. Diane Smith, Penn State University, was elected Vice-Chair/Chair-Elect.

GPO issued 12 Fact Sheets (to be printed in a future issue of Administrative Notes) which cover the following issues: AIDIS System,
8. Recommends that GPO not append new series to existing item numbers.

9. Recommends that GPO develop an implementation plan for the expanded List of Classes, originally proposed in October 1984.

10. Recommends that a Fact Sheet be issued which summarizes GPO's response to the "improvements" listed in the GAO audit.

11. Recommends that GPO investigate the use of a "delete record" plus a local field, as opposed to the 500 field, for the linking note between corrected entries in the Monthly Catalog.

12. Recommends LPS poll the depository library community on its preference in using the Senate numbering scheme for hearings and prints when cataloging them.

13. Recommends that the Public Printer review SDD-13 and in particular study the feasibility of both dual distribution of reference works in paper and fiche and the prohibition of fiche conversion for publications fewer than 15 pages in length.

14. Reiterates its recommendation that GPO catalog monographic series and that these serial records appear in the Monthly Catalog tape products as soon
15. applauds the Superintendent of
Document’s efforts promoting
the sales program through the
depository system and promoting
the depository system through
the sales program.

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**GDSIS Sponsors Three Programs In New York**

**Directions for Federal Documents**

Depository librarians and those
interested in federal information
policy, be sure to come to our
federal documents program,
**Directions for Federal Documents.**

Panelists will be Donald E.
Fossedal, the new Superintendent of
Documents; Sheila McGarr, Depository
Library Inspector; and Anthony
Zagami, Counsel for the Joint
Committee on Printing. Lynn Foster
of Ohio Northern University will be
the moderator. The panelists will
discuss current developments at GPO;
GPO library inspections; the
background and status of the
proposes JCP guidelines; the OMB
proposal for management of federal
information resources; and GPO’s
role in developing a national infor-
mation policy.

Bring your questions! We are
hoping for a lively question-and-
answer session afterwards. The
program will take place Monday, July
8, 1985, from 7:30 p.m. to 9:30 p.m.

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**United Nations Documents**

This year marks the 40th
anniversary of the founding of the
United Nations, and among the pro-
grams to be sponsored by the Govern-
ment Documents Special Interest
Section during the 1985 convention is one on United Nations Documents,
to be moderated by Christine Corcos
of Case Western Reserve University.
The program, to be held July 10 from
10:30 a.m. to noon at the Hilton,
emphasizes the development and
organization of a United Nations
documents collection. Ellen
Schaffer of Georgetown University
Law School Library, the author of
numerous bibliographies including
The Central American Common Market;
A Selected Bibliography 1975 to the
Present will speak on the problems
associated with developing a UN
documents collection in the absence
of a nearby UN depository.

Jeanette Yackle of Harvard Law
School Library, author of Labor
Legal History; A Selective Bibliog-
raphy will speak on the uses of UN
documents from a reference
librarian’s perspective, and Martin
Feinrider, Professor of Law at Nova
University Law School, the editor
(with Arthur Miller) of Nuclear
Weapons and Law, will speak on the
researcher’s use of UN documents.
All Librarians with an interest in
United Nations documents are invited
to attend.
Int'l Organizations Documents

One of the AALL annual meeting programs sponsored by the Government Documents SIS will be "A Close-up View of International Organizations Documents." This program will be aimed at anyone who is interested in international documents (or who is forced, perhaps unwillingly, to deal with them) but who is not an expert in the field. It will cover the documents of a variety of international organizations other than the U.N.

Claire Germain, who has a French law degree and is currently Assistant Librarian for Information Services at the Duke Law Library, will unlock the mysteries of the European Community (EC) and its publications. Knowledge of the EC's institutions and laws is important for anyone doing business in Europe, as well as for scholars in a number of comparative law fields. The EC's extensive publication program and depository system provides an enormous amount of information that researchers in the U.S. could profitably use. It has been underutilized thus far due to an insufficient understanding here about how that information reservoir can best be tapped. Ms. Germain will change all that.

International human rights documentation will be discussed by Steven Perkins, International Law Librarian of the New York Joint International Law Program. He will focus on the activities of European human rights agencies such as the European Court of Human Rights, since those are particularly effective institutions, but he will also cover the various UN and OAS bodies. Mr. Perkins is especially well qualified to help us sort out this jumble of entities and their publications in as much as he was in charge of a specialized human rights collection at the University of Cincinnati Law Library for several years.

Finally, we are fortunate to have convinced Robert Schaaf, Senior International Documents Specialist at the Library of Congress, to come and outline for us the function and publication programs of some of the more important international governmental organizations. Anyone who has ever had acronymophobia when confronted by the IMF, ILO, GATT, UNCITRAL, etc. will want to hear Mr. Schaaf describe the entities behind these letters and explain how to gain access to their publications.

Wednesday, July 10th, 1:30-3:00 is an opportunity to listen to and question three experts in the important but not widely understood field of international documents. Don't miss it!
Interesting Reading
by Lovisa Lyman

The bibliography concentrates on journal articles on a variety of subjects of interest to law librarians—ranging from state publications to international documents. Some titles are no more than notes, others are in-depth analyses of areas of law librarianship. All are illuminating.


Bowerman and Cady describe the alternatives for obtaining bibliographic data on government documents for inputting into an online catalog. In addition to describing the bibliographic utilities and in-house manipulation of MARC tapes, they survey and compare six vendors of bibliographic services. The vendors are compared on the basis of equipment required, training of personnel, selecting documents to include, reviewing and editing the product, and cost. A valuable study for anyone contemplating an online catalog.

Lane, Margaret T. "The Documents on Documents' Collection." Library Review 13:250-53

Lane describes the production and maintenance of a microform collection of materials relating to state documents distribution programs in the United States. Collection is available for inter-library loan and could be useful to law librarians who maintain multi-state documents collections.

Law Library Journal 75:421-570.

This issue concentrates on the 1985 AALL preconvention Institute on International Law and Business. Various authors cover sources of international law with emphasis on domestic and foreign treaty research, and international organizations and collections. An excellent overview from various perspectives.


McClure reviews proposed regulations of the Joint Committee on Printing and considers possible implications. He concludes that the regulations may solve some immediate problems but that to solve long range difficulties, a revision of Title 44 is called for.

Proposed changes to printing and binding regulations were published in the Congressional
After careful deliberation and research lasting more than a year, the committee resolved that depository libraries should receive access to electronic information and recommended that pilot projects be launched to investigate economic feasibility.


Schaaf treats international, intergovernmental organizations from the standpoint of acquisition of materials, bibliographic control and access, reference and research services, microforms of international documents available, and professional associations and activities. Special emphasis is given the Library of Congress and Washington based agencies.


Varga first sketches the history of FOIA and proposed revisions, then traces the specific path a reference librarian can follow to obtain information from U.S. Government files to satisfy patron requests. A "must read" for
seven states have a statutory duty to prepare a checklist." These checklists can be a terrific help to the law librarian in all library settings: academic, public, court and private. They are also a great help in many aspects of library activity: collection development, interlibrary loan, reference and technical services.

It is necessary to emphasize from the outset, however, that the particulars of the checklists vary from state to state. When working with the listings of any one state it is important to understand the basis for and the limitations of the checklist for that specific state.

ALA's Guidelines for Minimum State Servicing of State Documents\(^3\) mandates in guideline number four that a checklist of the state's documents should be compiled and distributed by the appropriate state agency, i.e. the agency that the state has designated as the depository. ALA has also approved guidelines as to the format, bibliographical content of entries, frequency of publication, etc. of these state checklists.\(^4\) The specifics of what individual states have legislated be done can be seen in List a Duty to Issue List of Publications.\(^5\) States are individually listed and the pertinent section of the state's code/statutes cited. Some of these code sections:
are quite detailed. In Kansas, for example, the state librarian is instructed not only to publish and distribute the list, but the statute tells him/her what bibliographical information need be included. Louisiana, on the other hand, requires only that a duplicate of the list sent by agencies to the Secretary of State be sent to each depository library. These code citations will give you a good idea if there is a likelihood your library will be able to obtain the checklist. Some states limit the distribution of the checklist to specific libraries; in other all may subscribe to them either free of charge or for a small fee.

The specifics of each state’s checklist are what the librarian must understand and use to advantage. The following is a list of the titles of checklists listed in that anniversary issue of the Monthly Checklist of State Publications. For libraries interested in certain states inquiry can be made directly to that state’s appropriate agency.

If your library is not in the state for which you are requesting the checklist or if your library does not meet criteria of the statute on distribution of the checklist, then it might be a good idea to get a list of the state’s depository libraries and work through them. In addition, Section 1 Guide to Libraries, Collections, and Staff of the ALA Directory of Government Documents lists libraries by state and notes their state documents collections.

ALASKA: State and Local Publications Received.
AKRON: Monthly Checklist of Publications
ARKANSAS: Arkansas Documents
CALIFORNIA: California State Publications
COLORADO: Colorado State Documents
CONNECTICUT: Checklist: Publications of Connecticut State Agencies
FLORIDA: Florida Public Documents
GEORGIA: Checklist of Official Publications of the State of Georgia
ILLINOIS: Illinois Documents List
INDIANA: Checklist of Indiana State Documents
IOWA: Iowa Documents: A Catalog of State Publications
KANSAS: State Documents of Kansas
LOUISIANA: Public Documents
MARYLAND: Maryland Documents
MASSACHUSETTS: Massachusetts Publications Received by the Massachusetts State Library
MICHIGAN: Michigan Documents
MINNESOTA: LRL, Checklist of Government Publications
MISSISSIPPI: Mississippi State Government Publications
MISSOURI: Missouri State Government Publications
MONTANA: Weekly List of Montana State Documents Received by the Montana State Library
NEBRASKA: Nebraska State Publications Checklist
NEVADA: Nevada Official Publications
NEW JERSEY: Checklist of Official New Jersey Publications
NEW MEXICO: Monthly Depository Shipping List
NEW YORK: Checklist of Official Publications of the State of New York

NORTH CAROLINA: Checklist of Official North Carolina State Publications
NORTH DAKOTA: Publications of North Dakota State Departments: Monthly Checklist
OHIO: Ohio Documents
OKLAHOMA: Oklahoma Government Publications: A Checklist
OREGON: ODGOCS Checklist
PENNSYLVANIA: Checklist of Official Pennsylvania Publications
SOUTH CAROLINA: Checklist of South Carolina State Publications
SOUTH DAKOTA: South Dakota State Government Publications: Checklist
TEXAS: Texas State Documents
VIRGIN ISLANDS: Virgin Islands Government Documents
WASHINGTON: Washington State Publications: Monthly Checklist

WEST VIRGINIA: West Virginia State Publications Checklist
WISCONSIN: Wisconsin Public Documents

NOTES


3. Id. at 193.

4. Id. at 194.

5. Id. at 163-168.

6. Id. at 163.


9. Id. at 1-25.

"Social Sciences and Electronic Technology in the Area of Government Information" will be the topic of a pre-conference meeting to be held August 16-17, 1985, before the IFIN meeting (International Federation of Library Institutions and Associations) in Chicago. It will be at the Palmer House and the registration fee is $15.00. For further information, contact Bernadine Hodushi, Joint Committee on Printing, The Hart Building, Room B19, Washington, D.C. 20510.
The first proposal to create a national commission to study civil rights was presented to Woodrow Wilson in 1912 by Oswald Garrison Villard, editor of the Nation and a member of the N.A.A.C.P. Villard urged Wilson to appoint "a National Race Commission to conduct a non-partisan, scientific study of the status of the Negro in the life of the Nation." The demise of this proposal indicated that "southern segregation concepts and practices had gained ascendency in the Wilson administration."\(^1\)

On December 6, 1946, Harry S. Truman created the President's Committee on Civil Rights to "inquire into and to determine whether and in what respect current law-enforcement measures and the authority and means possessed by Federal, State, and local governments may be strengthened and improved to safeguard the civil rights of the people" and to "make a report of its studies to the President in writing."\(^2\) Among the Committee's recommendations in its report, To Secure These Rights, was one calling for the establishment of a permanent Commission on Civil Rights.

Truman, in his 1948 State of the Union Message, endorsed this recommendation and called for the creation of a commission that would "continuously review our civil-rights policies and practices, study specific problems, and make recommendations to the President at frequent intervals."\(^3\) At least one "Civil Rights Commission" bill was proposed in Congress from 1949-1955, usually by Sen. Hubert Humphrey. None of these bills ever made it out of committee. In 1956, Dwight D. Eisenhower finally endorsed the idea in his State of the Union address. Eisenhower asked the Congress to create a bipartisan commission to investigate the specific charges that blacks were being denied the right to vote.\(^4\)

The proposal first drew criticism from civil-rights activists as an inadequate solution to the problems of racial discrimination. Adam Clayton Powell referred to the proposal as "sheer buck-passing" designed to excuse the Department of Justice and Federal Bureau of Investigation from carrying out their statutory responsibilities.\(^5\) The Eisenhower Administration then submitted a draft bill to Congress that not only called for the independent commission, but also established a Civil Rights Division in the Department of Justice and significantly expanded the ability of the Attorney General to bring
civil suits on behalf of parties deprived of voting or other civil rights. The expanded proposal drew a storm of criticism from Southern congressmen. Ohio Johnston, "a hol- 
lowing populist from South Carolina," threatened to propose an amendment stating that commission funds include funeral expenses for commission members "in the unlikely event that the commission should ever come into being." 7

A House bill (H.R. 627) that embodied the Eisenhower Administration's proposals passed the House on July 25, 1955. In the Senate, however, four civil rights bills never made it out of the Judiciary Committee and the House bill failed to reach the Senate floor. In 1957, a new bill (H.R. 6127) passed the House by May 21. The new bill dropped provisions requiring the Commission on Civil Rights to investigate "allegations of unwarranted economic pressure being brought to bear on persons because of race, color, religion, or national origin" and charges of sex discrimination. 8 Beyond this, the new bill's provisions for the Commission remained largely the same as the 1955 legislation: requiring the commission to "investigate deprivation of the right of citizens of the U.S. to vote by reason of color, race, religion, or national origin, to study and collect infor-

mation relating to legal developments which constitute a denial of equal protection of the laws, and to appraise the laws and policies of the Federal Government with respect to equal protection." 9 Additional sections pertaining to the Department of Justice remained largely the same as well.

On June 20, Sen. Paul Douglas and Sen. William Knowland succeeded in placing the House bill directly on the Senate calendar, thereby bypassing the hostile Judiciary Committee. At this point, the Southern senators began to work for compromise on the provisions that they feared the most: the ability of the Attorney General to bring civil actions. As Richard Rovere put it, "If, for example, the bill had called only for a Civil Rights Commission with powers of subpoena and a Civil Rights Division in the Department of Justice - as it did in one of the early drafting stages - the elimination of one or the other of these would have been demanded by the South. But in the omnibus form in which it reached the Senate it asked for both of these and a good deal more, and Senator Russell became so absorbed in some of the unexpected additions - and eventually so enraged by one of them - that he never got around to objecting to some of the bill's leading features." 10 The Senate
passed an amended version on August 7, and after two weeks of informal negotiations, a compromise version was passed by both houses and signed into law on September 9. The Commission on Civil Rights, composed of six members of which not more than three could be from the same political party, was thus created by the Civil Rights Act of 1957 (P.L. 85-315, 71 Stat. 634).

Eisenhower nominated three Northerners and three Southerners to constitute the original Commission. John Hannah, President of Michigan State University, served as Chairman throughout the 1957-1965 period. The other original members were Robert G. Storey, Dean of Southern Methodist University Law School; Father Theodore M. Hesburgh, President of Notre Dame; John S. Battle, a former governor of Virginia; J. Ernest Wilkins, an Assistant Secretary of Labor and Doyle E. Carleton, former governor of Florida. Ernest Wilkins died in 1959 and was replaced by George M. Johnson, Dean of Howard Law School. The balance of the Commission began to tip away from the Southern viewpoint with the appointment of Robert S. Rankin, a political scientist from Duke, to replace John Battle. This trend became more pronounced in 1961 when Erwin Griswold, Dean of Harvard Law School and Spottswood W. Robinson III, Dean of Howard Law School, replaced Carleton and Johnson. As Dulles writes, "The appointments were immensely significant, indicative both of the general trend of the civil rights movement and of the new Administration's apparently sympathetic attitude toward it." In 1964, Robinson and Storey were replaced by Eugene Patterson, the editor of the Atlanta Constitution and Mrs. Frankie M. Freeman, Associate General Counsel for the St. Louis Housing and Land Clearance Authority.

Section 105 (a) of the Civil Rights Act provided for the appointment of a "full-time staff director" for the Commission and Section 105 (c) authorized the creation of the State Advisory Committees. The importance of the position of Staff Director was recognized by proponents and foes of the Commission during the hearings on Tiffany's nomination. Sen. Russell stated that the director's "views and activities will have more effect on the work of the Commission and its final recommendations than will any other individual, including the Chairman of the Commission." During the period of 1957-1965, the Commission had two staff directors, Gordon M. Tiffany (1958-1961) and Berl I. Bernhard (1961 - ). Tiffany organized the staff into a Secretarial and Liaison Office; an
Office of Complaints, Information and Survey, and an Office of Law, Plans, and Research. Bernhard reorganized the staff into five offices: the Staff Director, the General Counsel, a Program Division, Liaison and Information, and the State Advisory Committee. Each state had set up an advisory committee within two years of the formation of the Commission.

The Commission had an extensive and controversial publishing history during the 1957-1965 period. Foster Rhea Dulles, in *The Civil Rights Commission: 1957-1965*, describes the vehemence with which the Southern congressmen denounced the biennial reports. The commission established three series of publications at this time: the biennial reports (CR 1.11), general publications (CR 1.21), and hearings (CR 1.81).

CR 1.11: Biennial Reports
1959, 1961, 1963

The biennial reports of the Commission were historic documents that provided much of the substance of civil rights legislation and also are the best summary of the Commission’s work during the 1957-1965 period. Prof. Reed Dickerson has written that “Perhaps the most reliable type of legislative history is the commission report that culminates in the recommendations that legislation is desirable.”

A prominent feature of each report was a series of recommendations on what legislative remedy should be pursued for denial of voting rights, and “discrimination in housing, education, and employment. Many of these suggestions resulted in federal statutes and all were proposed in one form or another in congressional bills. In Appendix J of the 1963 Report, the Commission listed in tabular form “Actions Taken on Recommendations of the U.S. Commission on Civil Rights.”

The 1959 Report was issued in two formats, a full report and an abridgment entitled *With Liberty and Justice For All* (I have used the abridgment for this annotation.) The pattern for the biennial reports was established with the 1959 report. The report was divided into chapters on the Commission’s main concerns: voting, public education, and housing. Each chapter concludes with a “Findings and Recommendations” section. The lack of unanimity among the Commission was illustrated by the inclusion of exceptions to the text as footnotes, and separate statements which took the form of dissents.

The 1961 Report consisted of five separate volumes covering voting, education, employment, housing, and justice. Volume 5 also contained a separate report on discrimination against American
Indians. Each volume is structured in a similar manner. The text describes the results of the investigations of the Commission into the denial of voting rights in the South, the success and failure of public school desegregation, discrimination in federal employment and housing projects, and the issue of police brutality. The text is followed in each volume by a "Findings and Recommendations" section. (The Commission also published an Excerpts volume that contained just the findings and recommendations.). Each volume concludes with a "Documentation" section, consisting of tables and other exhibits, a selected bibliography and a table of cases.

The 1963 Report was issued in one volume. In addition to updating the five areas covered in 1961, the report looked at discrimination in health facilities, the armed forces, and urban areas. Each section concluded with recommendations.

1.2: General Publications

The Civil Rights Act of 1957 directed the Commission to "submit interim reports to the President and to the Congress." The Civil Rights Act of 1964 authorized the Commission to serve as a national clearinghouse for civil rights information. While the primary publications of the Commission in the period 1957-1965 were the biennial reports, a number of interim and topical reports were also published.

1.2: St 2 1961

The 50 States Report

This volume contains the reports and recommendations of the fifty State Advisory Committees in 1961. I stated earlier that the recommendations of the Commission were later embodied in civil rights legislation. Many of these recommendations derived from the work of the State Advisory Committees. The quality and depth of the reports is uneven. Some of the committees had only recently formed or were awaiting the results of questionnaires. In other cases, full reports, including statistics, were submitted. These reports present an accurate picture of the varied nature of civil rights problems in different regions of the country. Alabama submitted the results of a questionnaire on the administration of justice, while Mississippi concentrated on voting rights. (The Mississippi section includes a table listing the number of blacks of voting age and the number registered by county, e.g., Amite County listed 1 black voter out of 5,010 eligible black voters.) The New York report covered the lack of a role for displaced minorities in the urban renewal programs in an 18-page report.
In 1961, John F. Kennedy requested the Commission to prepare a report on civil rights progress for the 100th anniversary of the Emancipation Proclamation. The Commission engaged John Hope Franklin, a distinguished historian, to develop a basic manuscript for the report. The result was a scholarly, but quite readable text on the slow pace of civil rights progress in the century following emancipation. The report is particularly good on the passage of the early civil rights legislation during Reconstruction and the Southern backlash that began in the late nineteenth century. An extensive bibliography and a table of cases is also included.

CR 1.8: Hearings

The Civil Rights Commission began holding hearings shortly after it was formed. The first hearing in December, 1959, in Montgomery, Alabama, covered the subject of voting rights. Between 1958-1965, the Commission published the transcripts of its hearings and conferences - on voting in Alabama (1959); on housing in New York, Atlanta, and Chicago (1959), and in Washington (1962); on civil rights in general in Los Angeles and San Francisco (1960), Detroit (1960), Phoenix, Arizona (1962), Memphis, Tennessee (1962), Newark, New Jersey (1962), and Mississippi (1963). 17

The hearings contain a wealth of information on the state of civil rights in the United States during this period. Foster Rhea Dulles has pointed out that the Commission purposefully selected varied regional locations to stress the nationwide aspects of the problem as well as its acute nature in the South. 18 The testimony recorded ranged from the experiences of civil rights activists to the excuses of obstructionist Southern officials. In addition to the testimony, the hearings contain such printed submissions, as maps on minority housing, reports prepared by the N.A.A.C.P., municipal studies, and tables of statistics (e.g., "Housing Incidents by Type of Exclusion Occurring in the Los Angeles Metropolitan Area Between July 1950 and June 1959"). 19 The printed transcript of the New Orleans hearing contains a 400-page appendix of some 93 separate exhibits.

The hearings were published in a format that is very similar to Congressional committee hearing transcripts. Some hearings simply provided a roster of witnesses in order of appearance (Hearing in Los Angeles and San Francisco (1960), Hearing in Detroit (1960). The inclusion of a "List of Exhibits
"Submitted" makes other hearings more useful to the researcher (Hearings in Memphis, Tenn. (1962)). In some instances, such as the Phoenix hearing, the proceeding followed a topical format, so that the Table of Contents contains a roster of witnesses divided into a school desegregation section, a public accommodations section, and so on.

The first hearing in which a subject index appeared was the two-volume transcript of the proceedings held in Jackson, Mississippi in 1965. The index for Volume 1 (Voting) contains witness and county names and such useful subject terms as "Intimidations and Reprisals." The index for Volume 2 (Administration of Justice) is not quite as helpful with such broad headings as "Violence" leading to forty-seven separate references.20 A separate exhibits list in each volume and a separate investigative reports list in Volume 2 are also useful features.

The early publications of the Commission on Civil Rights are useful for the background information that they provide on the development of civil rights legislation, the investigation of discrimination in the United States, and as a record of the history of the Commission. In a later article, I will turn to the post-1965 period.

5) 102 Cong. Rec. 157 (1956).
10) Rovere, p. 74.
11) Dulles, p. 85.
12) Dulles, p. 100.
17) Dulles, p. 262-263.
18) Dulles, p. 119.
20) But see "Biologia, snapping of during intersex" p. 153.

Selections from the Education Literature by Veronica Maclays

Resources in Education identifies recent significant research reports in the field of education. Some of

Way, Lethy


Price - MF01/PC01 Plus postage

This bibliography lists books and articles on the evaluation of reference services in law school depository libraries, academic, public and special libraries. Several subject areas are included. These include: the quality of reference service provided, standards for performance, education of librarians, referrals, and ethical considerations for information provided by law libraries.


Lane, Margaret T., Comp.


Price - MF01/PC03 Plus postage

This project was an analysis of the use of government documents at the University of Illinois at Urbana-Champaign. A questionnaire was used to determine user status, depart-
ment, how the document was identified, and the reason for its use. The study indicated that most of the users were undergraduates who were using the publications for coursework. Congressional publications received the greatest use.

ED244634
Government Documents Technical
Processing Manual
Adams, Leonard
EDRS Price - MF01/PC05 Plus postage
This is the technical processing manual for procedures at the Government Documents Department at the University of Massachusetts at Amherst. Most of the procedures listed in the manual are probably basic to most depository collections. Included in the manual are cataloging rules; binding; and processing procedures for serials, microfiche, maps, and multivolume sets. Public service procedures discussed include: circulation, reserve, interlibrary loan, and search procedures.

EJ198477
Canadian Federal Statutes: Shelving Those Revisions.
Fraser, Joan N.
Canadian Library Journal, v.41 p. 69-73 April 1984
Reviews the publication scheme of Canadian federal statutes. A good tool to help librarians to catalog and shelve these Canadian materials. Official lists and indexes used as finding aids are discussed.

EJ305640
Wilson, Karen A.
Behavioral & Social Sciences Librarian, v. 3 p. 87-99 Spring 1984
This annotated bibliography provides selected federal and commercial publications on decisional materials relating to Title VII. Also gives an overview of the agencies responsible for administering this act.

Joint Committee on Printing Organizes for 99th Congress
by Sally Holterhoff
Chairing the JCP during the 99th Congress will be Senator Charles Mathias. Rep. Frank Annunzio will be Vice-Chairman of the committee. Annunzio had finished out the 98th Congress as Chair, after Rep. Augustus Hawkins left to head another committee. Leadership of the Joint Committee switches between House and Senate in alternate sessions. Mathias had previously served as JCP chair in the 97th Congress.

Other Senate members are Dennis
Congress. The possibility of reviving the revision efforts in this session was not discussed at this organizational meeting.

Another topic of interest was a long-range study of the Government Printing Office which will be done for JCP by the GAO and the Office of Technology Assessment. Guidelines for this study, which will investigate the use of new technology by GPO, were discussed. It will start in about a month and take approximately one year to complete.

Access to Government Information: An Annotated Bibliography

by Lynn Foster


The author is Director of Publishing and Graphic Services at the Department of Health and Human Services, and one of the founders of the Federal Publishers Committee. He discusses OMB and JCP regulation from the viewpoint of a federal executive agency publisher.

2. Dellefsen, Ellen. "User Costs: Information as a Social Good

This selection is a lively speech and question-and-answer session pointing out the polarities generated by the issue of distribution of government information.


This author studied HHS depository documents distributed during the President’s moratorium on new government periodicals. She found that the changes in the documents were not those which would be expected.


The author discusses the impact of the Reagan moratorium on publishing in the Department of Health and Human Services. Of interest is a description of the steps necessary to publish a new periodical at HHS.


Past Director of GPO’s Library Program Service and present Director of EPA’s Information Management and Services Division, the author first defines the different types of government information, then offers her views on what has occurred and what will happen regarding the future GPO, government regulation of information distribution, and distribution of online information.


The author discusses two problems confronting document librarians: failure to publish promptly coupled with cancellation of titles,
and increased publication in machine readable format.


   This author, a librarian, briefly describes the problem of access to government information today, and calls for a renewed commitment to the free distribution of government information in all formats.


   A complete treatment of the history and issues involved regarding dissemination of information. The author discusses both public sector and private points of view.


   This author, senior statistician at OMB's Office of Information and Regulatory Affairs, discusses the attempt of OMB to formulate a policy on management of federal information resources. He reviews the positions of libraries, the private sector, and OMB.


   A brief history of the events causing the cutbacks, and a discussion of the cutbacks themselves, how they affect libraries, and how they affect the public in general. The author states that the cutbacks have caused more dependence on private publishers and have reduced the amount of statistics available to the public.


   The author discusses problems with GPO's micropublishing program and suggests ways librarians can handle them.