Contents

FALL 1987

Letter from the President........1
Letter from the Editor..........2
Convention Programs..........2
Report on GODORT Activities
   at the 1987 ALA Conference....6
Report from the Fall 1987
   Meeting of the Depository
   Library Council...............9
Nominee Ginsburg and the
   Congress: A Briefly
   Annotated Chronology.........14
International Legal Documents...23
Relations with GPO.............27
Notable Documents Spotlight:
   The Office of Child
   Support Enforcement........27
Newsworthy Notes.............29
LETTER FROM THE PRESIDENT

With this first issue of volume 10 we welcome aboard our new Newsletter Editor, Susan Dow of SUNY-Buffalo. On behalf of the SIS, I want to thank Susan for undertaking this responsibility. Kevin Fredette, who edited the Newsletter for the past two years, stepped down as editor with the last issue of volume 9. Since Kevin was responsible not only for getting the Newsletter out but also for its revamping and computerizing its format, his contributions were indeed great and his efforts were greatly appreciated. Keith Buckley, Newsletter Business Manager, will stay aboard for the foreseeable future and this is greatly appreciated for the continuity it provides the new editor as well as the continued high level of service that SIS has come to enjoy through Keith’s efforts.

It is also my pleasure to congratulate Sally Holterhoff of Valparaiso University Law Library on her appointment to the Depository Library Council. In addition, on behalf of the SIS, I want to thank Susan Tulis whose term recently expired as the AALL representative to DLC. Susan served us so well these past few years at DLC during very turbulent times, and her insights and advice to me and other SIS members regarding pressing issues was always prescient and wise. With Sally now in the position at DLC, we can continue to feel confident that our SIS and AALL are well represented to GPO.

Chris Corcos, Vice-Chair/Chair-Elect of our SIS put together a slate of three programs which were given the go-ahead recently from AALL Program Chair Dan Freehling. Chris submitted six proposals, a record in recent memory, and three received approval. While more will be written about these programs specifically here in this Newsletter and in the AALL Newsletter, suffice it to say that the proposals were of very high quality and the volunteers who presented them did an excellent job in terms of topics and audience appeal. Our programs should appeal to a broad range of convention goers next summer! And Chris did a top-notch job of writing up and following-up on the proposals.

The state bibliographies continue to attract authors. Two more states have been slated for bibliographies (Idaho and Nebraska). Watch the AALL Newsletter for requests for other states and Canadian provinces. Further, the bibliographies continue to provide our SIS with a reliable and substantial source of revenue, which is always good to know.

In conclusion, the Government Documents SIS is in great condition fiscally, new members continue to join, and we are getting more ideas from new volunteers. In short, things couldn’t be better for the SIS itself. But I do hope that Document Librarians keep their eyes open for changes or shortcomings in GPO shipments and materials. Remember that Jurisdocs can publish information concerning depository shipments that are unusual (such as continued missing items, poor fiche quality, etc.) so that we can be aware of problems as they occur and use our collective voice to get these problems addressed by Congress and GPO. Susan Tulis volunteered to collect these items for Jurisdocs. Send your complaints to her at the University of Virginia Law Library. So while we aren’t experiencing the dramatic cutbacks that we all witnessed last year, there are continuing problems of quality control and shipment shortfalls which librarians should be watching for and which should
be brought to the attention of GPO and the SIS through Jurisdocs whenever possible.

Mary Anne Royle

LETTER FROM THE EDITOR

I would like to thank all the members of the SIS who have contributed material and articles for this issue of Jurisdocs. As I begin my tenure as Newsletter Editor it is reassuring to know that members of the SIS are concerned about the quality of their Newsletter and express that concern by submitting informative articles.

As is the tradition with the Fall issue of the Newsletter, highlights of the SIS sponsored convention programs are included. Contributing information on this past July's programs are Chris Corcos, Sally Holterhoff and Susan Dow. Veronica Maclay, our representative to ALA/GODORT has written an excellent review of GODORT activities. Sally Holterhoff, our new representative to Depository Library Council provides a very informative and interesting report on the October 14th through 16th meeting of Depository Library Council.

A testimony to the rapidity with which things can change in Washington, D.C. is evidenced by the October 29th nomination of Judge Douglas Ginsberg to the Supreme Court and his withdrawal from consideration on November 7th. Cheryl Nyberg has prepared an extensive chronology of Ginsberg's testimony before Congress. Although Ginsberg is no longer a nominee, it is interesting to note that he was once employed by the Office of Management and Budget and testified before Congress on his feelings about the Depository Library Program.

Nellie Moffitt provides a detailed bibliography of recent legal publications issued by intergovernmental organizations which can aid librarians who are responsible for acquiring international legal publications.

With this issue, three new columns are instituted. Susan Tulis, former representative to the Depository Library Council and very knowledgeable about GPO procedures will provide information on dealing with GPO; Kevin Fredette will continue his fine tradition of reviewing notable federal documents. The last column, "Newsworthy Notes" will provide a location for informing the readership of general items of interest.

Susan Dow

CONVENTION PROGRAMS

*****

REVIEW OF 1987 SIS PROGRAMS

LATIN AMERICAN DOCUMENTS

The Government Documents Special Interest Section sponsored an introductory session on Latin American documents, coordinated and moderated by Christine Corcos, Case Western Reserve University Law School Library. Attendees learned about the joys and sorrows of Latin American acquisitions from Jacqueline Rice, University of Virginia Law School Library, who also emphasized the necessity of nurturing good relations with Latin American dealers and publishers through an understanding of their culture and business practices. Jacquie's experiences in the Latin American book trade and her first-hand knowledge of sources gained through research (she holds a Ph.D. in history from
UCLA) added both color and authority to her comments. Rather than
discussing a multitude of reference sources, Earl Weisbaum con-
centrated on that crucial publication, the Official Gazette, and
unraveled its mysteries by explaining its contents and legal status.
Dr. Ramos, a professor of Latin American history, entertained the
nearly 100 listeners with his own adventures in Brazil and Nicara-
gua, while bringing a user's perspective to the discussion. He
emphasized the important role that librarians can play in preserving
documents, by purchasing copies for use in the U.S. and by agitating
for the preservation of documents both here and abroad. Those
attending received useful handouts, including a bibliography and
information on the official gazettes of the Latin American
countries.

Christine Corcos

DOCUMENTS ISSUES SPOTLIGHTED
IN CHICAGO PROGRAM

"Federal Documents in '87
and Beyond," featured a current
look at government information
from four different perspectives.
Speakers were: Steve Hayes, Chair
of ALA's Government Documents
Roundtable; Steve Margeton, member
of the Ad Hoc Committee on
Depository Library Access to
Federal Automated Data Bases; Mark
Scully, Library Programs Service
Director at GPO; and Susan Tulis,
Depository Library Council member.

Steve Hayes had just come
from ALA's annual meeting in San
Francisco and he reported on
documents issues discussed there.
GODORT passed a resolution about a
recent amendment to the Federal
Acquisition Regulation (FAR).
Issued by Defense, GSA and NASA,
this amendment allows these
agencies to bypass JCP and GPO in
arranging for printing of their
publications. The effect of the
FAR amendment, which took place
July 1, remains to be seen. But
it could increase the number of
"fugitive documents" that escape
depository distribution. Another
GODORT resolution asked Congress
to approve funding in the FY 1988
budget for electronic pilot
projects. Hayes feels that
Congress is getting mixed signals
from depository librarians
regarding the desirability and/or
need for documents in electronic
format. He suggests that we
should work on self-assessment and
on educating the Congress.

Of note is a survey being
done by the ALA Washington Office,
regarding government information
which is being lost to
electronic-only format or to the
private sector. Hayes stressed
that depository librarians must
work on making both the general
public and the Congress aware of
the value of what we offer if we
expect them to support the
Depository Library Program.

Steve Margeton outlined
recent activities of the Ad Hoc
Committee and AALL's part in the
process. In 1986, JCP asked
federal agencies to submit
suggestions for pilot projects.
Those of particular interest to
law librarians include proposals
for CD-ROM versions of CFR,
copyright publications, the weekly
Internal Revenue Bulletin and the
IRS tax publications series. In
January 1987, the Ad Hoc Committee
drafted its final report to the
JCP. They recommended that final
selection of which projects to
test be done by some independent
organization, such as the National
Academy of Sciences. Margeton
supports that procedure if AALL
has input in the selection
process. The Ad Hoc Committee
recommended that a pilot project
office be established within GPO
and that has taken place with the
formation of the Information Technology Program. The House Committee report that addresses the pilot projects asks that a more comprehensive plan and estimate of costs be presented. However, it seems that the legislators didn't read the whole Ad Hoc Committee report, which did address these concerns.

Criteria for selecting the libraries to participate in pilot projects have not yet been finalized. Many libraries have volunteered and all their letters have been turned over to the ITP at GPO. But Margeton feels that once criteria are established, all interested libraries will still have a chance to put their names in for consideration. As with selection of the projects, selection of libraries to participate will likely be turned over to an independent agency. At this point the Ad Hoc Committee's job is essentially completed, but the group may be restructured into some other form.

Mark Scully outlined developments in the Depository Library Program over the last two fiscal years. He described FY 1986 as a year of self-evaluation and cost-cutting measures under Gramm-Rudman. He acknowledged the intense reaction in the law library community over the threat to dual-format distribution in the Fall of 1986, adding that dual-format choice has been preserved, for the time being. Savings were achieved by such measures as the change to one item selection update a year, rather than two, and the switch to mailing House and Senate calendars in with the regular shipments. Scully characterized FY 1987 as a year of stabilization, with GPO fully staffed in supervisory positions and able to address "chronic problems in the depository program that frustrate the librarians and ourselves as well."

He reported that there had been a 10.6% reduction in depository distribution in the first 8 months of FY 1987, due to fewer publications being received by GPO from agencies for distribution. Noting the increasing preference in federal agencies for electronic alternatives to traditional publishing, Scully stressed that the future of electronic distribution to depositories depends on funding for ITP. But he feels that GPO will be ready to proceed whenever funds are available.

Susan Tulis discussed the events of the Spring Depository Library Council meeting, particularly those of most interest to law librarians. While money and microfiche remained major concerns, she reported that this meeting featured a more positive mood than the preceding one, as well as a more responsive GPO staff. She focused on several of the Spring DLC recommendations. One was the change in "Guideline 4-5", eliminating the 25% item selection requirement and calling for "demonstrable efforts" to meet the needs of the local community. Other recommendations dealt with splitting out the top 20 problem item numbers, which is being done, and a request for GPO to analyze claims fulfillment. Council has also asked GPO to reinstate complete compliance with SOD-13. Concluding the program and summing up the implications of all that had been reported, Tulis advised the audience: "We have our work cut out for us in the coming year."

Sally Holterhoff
**SIS BUSINESS MEETING**

The SIS business meeting was called to order by Chair, Sally Holterhoff on July 6th, 1987 at 7:35 a.m. at the Hyatt Regency - Chicago.

Sally mentioned that the SIS has 337 members. The state bibliographies are now being distributed by AALL headquarters and this year five bibliographies have been prepared. Sally thanked the following individuals for their work on the bibliographies: Gary Alexander, David Burrows, Barbara Rainwater and Sue Weinstein for the Colorado bibliography; Ben Cole for the Mississippi bibliography; Thomas Steele and Donna DiPrisco for the North Carolina bibliography; Janet Oberla for the Wisconsin bibliography and Christine Corcos for the Ohio bibliography. Anyone who is interested in volunteering to compile a bibliography or to revise an older bibliography should contact Mary Anne Royle at Northern Illinois University. Copies of the author's guide are available and it should be noted that the bibliographies are now issued as part of AALL's Occasional Papers Series, no. 3.

Susan Dow, Secretary/Treasurer reported that the treasury has a balance of $6,628.96. The minutes of the 1986 business meeting as reported in volume 9, number 1 of *Jurisdocs* were approved.

Keith Buckley, on behalf of the Elections Committee, announced that 157 votes were cast in the recent election. Mary Anne Royle of Northern Illinois University will assume the office of Chair; Christine Corcos of Case Western Reserve University was elected Vice-Chair/Chair-Elect; Veronica Maclay of the University of California, Hastings was elected Secretary/Treasurer. A motion was approved to destroy the ballots.

Kevin Fredette, Newsletter Editor announced that Susan Dow, SUNY/Buffalo will assume responsibility for *Jurisdocs* beginning with v. 10, Fall 1987. Kevin thanked all who had contributed to the newsletter during his two year tenure as editor.

The SIS is sponsoring two programs during the convention. "Federal Documents in 1987: A Look Beyond," moderated by Sally Holterhoff will be presented on Monday evening, July 6th. On Wednesday, July 8th, Chris Corcos will moderate a program on Latin American documents. All are urged to attend these programs.

Joanne Zink presented the Legislative Update. AALL headquarters asked Bob Oakley, Georgetown University, to present testimony on HR 2714 in February 1987 concerning appropriations for the Government Printing Office. On June 29, 1987 HR 2714 passed the House and provided 21.1 million for the Depository Library Program which amounted to a 8.6% increase over the current year funding and it preserved 1.2 million dollars for the current dual distribution system. While this was positive news, the House denied funding of the JCP electronic pilot projects awaiting outcome of an Office of Technology Assessment study on federal information technology. HR 2714 is on its way to the Senate for mark-up. Letters of concern can be addressed to Sen. Dale Bumpers, S128 Capitol, Washington, D.C. 20501, (202-224-7236).

Joanne also reported on the work of the Ad Hoc Committee on Depository Library Access to Federal Automated Data Bases indicating that the JCP had approved
the report of the Ad Hoc Committee in April. The GPO has created an Information Technology Program and Jan Erickson has been appointed as its head.

Veronica Maclay, liaison to ALA/GODORT has prepared a report on GODORT activities which will appear in the Fall issue of *Jurisdocs*.

Nominations are being solicited by GPO for representation on Depository Library Council. It was suggested by Susan Tulis, outgoing AALL representative that we think about possible nominations.

Other noteworthy information was: 1) The Duplicate Exchange Committee headed by Carmen Brigandi is considering a government document listing; 2) Cynthia Bowers, who has been interning at the JCP and studying the problem of fugitive government publications will issue a report in the Fall; 3) The Preservation Committee of AALL is asking GPO to investigate the distribution of acid free envelopes for its microfiche; 4) Joanne Zink is preparing an article for *Microform Review* on the quality of GPO microfiche; and 5) Possible topics for 1988 convention programs include "state legislative histories" and "alternative sources of government information".

Sally thanked all who had helped during her term as Chair and turned the gavel over to Mary Anne Royle.

Susan Dow

REPORT ON GODORT ACTIVITIES AT THE 1987 ALA CONFERENCE

Four major issues were discussed at the 106th ALA Conference held in San Francisco on June 27th through July 2nd, 1987. These issues included: NTIS, JCP authority, electronic pilot projects, and dual format.

NTIS Privatization In the Appendix to the FY 1988 Budget of the United States Government, the OMB revealed its position on the future of NTIS with the words: "In 1988, the private sector will be offered the opportunity to operate NTIS on contract, with the government retaining overall policy direction." At the 1987 midwinter meeting, ALA passed a resolution to urge Congress to hold hearings on OMB's proposal. The House Committee on Science, Space and Technology, Subcommittee on Science, Research, and Technology held hearings on March 4, 1987. Ellen Gay Detlefsen testified for ALA and the Medical Library Association in opposition to the plan to turn NTIS over to a private contractor. Despite legislative efforts and opposition from the research community, the OMB on June 10, 1987 in the *Commerce Business Daily* asked interested contractors to contact them with proposals.

On June 4, 1987, the House passed HR 2160, the National Bureau of Standards Authorization Act for FY 1988. Section 15 of the bill would prohibit NTIS from contracting out activities not currently performed by outside contractors. If you are interested in the discussion of this section, please look at the June 4, 1987 *Congressional Record* (Daily Edition) pages H4210 and H4215. [Ed. note: HR 2160 was tabled on 7/22/87 and H4 passed in lieu by Senate; Conference began meeting on 8/7/87 on H31.]
Several bills have been introduced in Congress which affect NTIS. George Brown introduced HR 1616, the Contractually Obtained Federal Scientific and Technical Information Act of 1987. HR 1615 would establish an independent Government Information Agency. NTIS and other federal agency functions relating to the sale or distribution of government information would be transferred to this new agency. Rep. Walgren introduced HR 2159, the National Technical Information Act of 1987. This bill would establish the National Technical Information Corporation as a wholly owned government corporation under the Secretary of Commerce. Rep. Brown also introduced HR 2164, the Department of Science and Technology Act. NTIS would fall under a National Bureau of Technology Transfer. In the Senate, John Glenn introduced S. 1233 to establish a Department of Industry and Technology to replace the Commerce Department. NTIS would be included in a proposed Office of Technology.

On July 14 and 15, 1987, the House Subcommittee on Science, Research and Technology of the Committee on Science, Space and Technology will hold hearings on HR 1615, 2159, 2164 and 2165. Harold Schill, the Chair of the ACRL Legislation Committee will testify for ALA. [Ed. note: HR 1615 hearings were adjourned on 7/15/87; HR 1616 still in Committee; HR 2159 hearings were adjourned on 7/15/87; HR 2164 still in Committee; S 1233 was tabled on 7/22/87 and H 3 passed in lieu; HR 2165 still in Committee, parts of measure incorporated into HR 2916 which was placed on the House Union Calendar on 8/4/87].

FAR Regulation In the final rule amending the Federal Acquisition Regulation (FAR) issued by the DOD, GSA, and NASA and published in 52 Fed. Reg. 9036 on March 20, 1987, there is a provision which could eliminate the role of the Joint Committee on Printing in the regulation of government printing. This issue is discussed in OMB Watch "New Rules Threaten Government Publication" prepared June 12, 1987. The phone number for OMB Watch is (202) 659-1711.

The wording of the regulation which is of concern is as follows:

The Department of Justice has advised that the requirement in 44 U.S.C. 501(2) for the advance approval of the Congressional Joint Committee on Printing (JCP) prior to conducting field operations or the acquisition of such printing is unconstitutional under the Supreme Court's decision in Immigration and Naturalization Service v. Chadha, 103 S. Ct. 2764 (1983); therefore, that approval requirement neither binds the executive branch nor serves as the basis for any coverage in this subpart.

There is also a Congressional Research Service study dated May 21, 1987 which concludes that the proposed regulation appears to have no foundation in law. This study is from the American Law Division, Subject: Amendments to the Federal Acquisition Regulation Respecting the Conduct of Field Printing Operations by Executive Agencies. There were several copies of this study in the hands of some members of the Legislation Committee of GODORT so it must be possible to obtain copies.

Bernadine Hoduski (JCP) in the Federal Documents Task Force meeting of GODORT said that this was a challenge to the legislative branch. The issue may have to go to court to be resolved.

GODORT passed a resolution relating to the Federal Acquisi-
Electronic Pilot Projects
The Joint Committee on Printing in April endorsed the pilot projects designed to test the feasibility of providing government information electronically to depository libraries. On June 18, 1987, the House Appropriations Committee passed over the request for $800,000 to get the pilot projects started. The Committee report (House report 100-173) indicated that the Committee will await the results of an OTA study on government information dissemination. It is important that the pilot projects be funded for FY 1988 because at least sixteen agencies have volunteered to participate in the program. They see the depository program as a vehicle to disseminate information. GODORT passed a resolution at the June 30, 1987 business meeting on the electronic pilot projects for depository libraries. The resolution urged Congress to authorize adequate funds for FY 1988 to implement pilot projects.

Dual Format GPO amended its original budget request for an additional $2 million from the revolving fund of which $1.2 million was targeted to continue dual format. The House Appropriations Committee approved the $1.2 million in GPO’s FY 1988 budget to fund the additional costs of hard-copy publications.

A motion passed at the Federal Documents Task Force Business Meeting on June 28, 1987 requesting that the Chair of GODORT write to the chairperson of Depository Library Council recommending reinstatement of dual format distribution of the bound Congressional Record. This resolution will help law librarians.

I will summarize the excellent GODORT programs on American Business, the International Connection and Automated Bibliographic Control of Government Documents in Libraries in future issues of Jurisdocs.

Summary of GODORT Federal Documents Task Force meeting, San Francisco, June 27-28, 1987:

The Federal Documents Task Force held an information update on June 27, 1987. This session was an overview of the major issues in federal documents. Presentations on issues, news, and products were given by several speakers.

Charles Downs from National Archives and Records Administration (NARA) described preservation efforts using the Charters Monitoring System. This system has been installed at NARA to measure minute physical changes in the Bill of Rights and the Constitution. The agency is continuing its program of filming printed materials for preservation. A switch from silver halide to diazo film is currently being considered. Six million dollars has been allocated for an architectural study to investigate requirements for a new building for the agency.

It was mentioned that joint efforts underway between GPO and NTIS should result in more SuDoc classification numbers appearing in GRA & I citations, and NTIS report numbers appearing in the Monthly Catalog.

Larry Carbaugh talked about new census products and services. Compuserve will add Cendata in September to its database list. The pilot project for the optical disk has been completed. The evaluations were very positive.
Gary North, USGS, discussed problems concerning the consolidation of the Survey's map, book, and open file report distribution function. Recent developments in remote sensing, aerial photography and optical disk systems were mentioned. USGS will be a test site for Sony and Kodak optical disk systems, and has been chosen by the OTA as one of four federal agencies whose electronic information distribution systems will be studied as part of their long range study on technology.

Mark Scully talked about developments in the Depository Library Program. Some reductions in depository distributions can be attributed to zero-based review of collections by depositories and some to the fact that federal agencies are simply not publishing as much material as in the past. The OMB announced on March 18, 1987 that the administration seeks elimination of an additional 500 publications. The Department of Defense has also announced its intention of reducing publishing activity by 55%.

Bernadine Hoduski, JCP, discussed how the recently promulgated FAR regulations have created member interest in information policy issues. JCP has drafted a resolution requesting that the regulations be withdrawn. Ms. Hoduski said that the JCP remains an ardent proponent of electronic dissemination and has instructed GPO to begin selling publications in electronic format.

Veronica Maclay

REPORT FROM THE FALL 1987 MEETING OF THE DEPOSITORY LIBRARY COUNCIL

Technology was the underlying theme of discussion at this Fall's meeting. Throughout three days of talk on a variety of topics, attention was focused repeatedly on the prospect of government information coming to depositories via electronic media and on the challenge and the dilemma this may represent for libraries. One whole morning was devoted to a panel on CD-ROM technology and how several different federal agencies have recently begun using this format for their publications. Among the Council and audience, a wide range of reactions was expressed, from the worry that depositories won't get electronic publications to concern that they will and won't be equipped to handle them.

The Council meeting was preceded by a one-day Census Workshop held at GPO. Plans were presented for the 1990 Census and the 1988 "dress rehearsal". The immensity of this task is impressive. A few highlights from the presentations on the census content and data products:

1) OMB has disallowed some questions that the Census Bureau proposed, citing the Paperwork Reduction Act and the intrusive nature of the questions. They have also restricted the size of the sample group (those who received a longer questionnaire). Some questions from the 100% survey have been moved to the sample questionnaire and some are still being discussed for possible elimination. (See Federal Register, August 25, 1987, p. 32114, for further information.)

2) For this census, the whole country will be "blocked", not just the more populated areas.
3) No preliminary or advance reports will be produced in 1990; there will be no "D" report (detailed population characteristics) from the Census of Population, though the data will be issued in a different form, as separate publications.

4) Urbanized areas and metropolitan areas will be taken out of the individual state publications and published separate.

5) Much of the 1990 census data will be published in computer tape format only. Even if the tapes are made available to depositories, software will be needed, as well as equipment, in order to make use of the raw data the tapes will contain.

SALES AND MARKETING

(Note: Superintendent of Documents Don Fosseidal was not present due to a death in his family.)

GPO has been authorized by JCP to sell government information in electronic format. So far they are offering only magnetic tape, but hope to expand into other electronic formats. Tapes are available for such items as individual CFR titles, the Congressional Directory, United States Government Manual, Statistical Abstract, Congressional Record, LSA, Federal Register, FCC Record, and the Public Papers of the Presidents. Presumably these all will soon be listed in the PRF and the Monthly Catalog. Not many tapes have been purchased so far; some of them are quite costly. Companies such as Mead Data have bought tapes to enhance the data and resell it.

Other items mentioned include a pilot project to list depository libraries in the blue (government) pages of telephone directories, and new public service announcements that are in the works.

JOINT COMMITTEE ON PRINTING

JCP General Counsel Tony Zagami provided an update on the FAR (Federal Acquisition Regulation) amendment, an issue that surfaced last spring over new regulatory language which would allow some executive agencies to bypass GPO when requesting printing. Though the regulation did take effect on July 1, so far there hasn't been much movement away from GPO printing. Furthermore, it appears that a way has been found to neutralize this FAR amendment: language inserted into the Legislative branch appropriations bill will prohibit such bypassing of GPO printing. It seem fairly certain that this insertion will be passed along with the rest of the bill. Zagami said that JCP appreciates the help of depository librarians on this issue.

Bernadine Hoduski of the JCP staff mentioned the committee's efforts to secure funding for pilot projects and a study by the Office of Technology Assessment which is examining all GPO information dissemination. The study is due out in early 1988. She indicated that there is some talk of a merger between GPO and NTIS, but nothing is definite. She said that depository libraries must be ready to handle government publications in electronic format, whenever we do finally receive them.

LIBRARY PROGRAM SERVICE

LPS Director Mark Scully described the current situation with the depository program as a lull between budgetary hassles and the upcoming challenge of electronic format. He feels that the OTA study will be quite important.
He referred to the implementation of information technology as "probably the most fundamental and important development in the history of the depository library program".

LPS will soon be receiving 12 PCs. Four of these will be used for producing shipping lists. GPO and NTIS are working on closer cooperation. Still in the planning stages is a proposed study on the use of depository library collections. Even though no funding will be available for GPO's new Information Technology Program (ITP) in FY 1988, they are still going ahead with research and planning.

Jan Erickson, who was appointed to head ITP last June, spoke optimistically of future prospects for electronic publications in depository libraries, despite the lack of funding for the current fiscal year. Another chance to request funding will come next February when hearings are to be held on the FY 1989 budget requests for the Legislative branch. One would hope that at least a draft of the OTA study will be available then, since that's what Appropriation Committee members have said they are waiting for. She also mentioned progress in automation that will begin within LPS when the PCs arrive. Shipping lists which will be generated on the PC could eventually be sent to depository libraries in electronic format. If you have questions or suggestions for Jan Erickson, you may reach her at (202) 275-1003.

SPRING COUNCIL RECOMMENDATION AND RESPONSES

These were read and comments made. Discussion arose over the issue of claims and the study published in Admin. Notes, Vol. 8, No. 18, p. 14. People felt that further study is needed since only paper claims were looked at in the LPS study and no distinction was made between items claimed from boxes and claims of "separates".

Comments were made regarding the list of 500 item numbers never to be converted to microfiche, which GPO has requested from Council. Some responses have been received but, as expected, no consensus on titles or categories has been discerned so far. It was felt that until the microfiche contractor situation is straightened out at GPO, this issue should be tabled.

CD-ROM PRESENTATION

This program was presented by representatives from several federal agencies currently involved in CD-ROM projects: U.S. Geological Survey, Patent and Trademark Office, Bureau of the Census, and the Library of Congress. The presentation began with a basic description of the technology. Speakers outlined the capabilities of the format, the cost, the useful applications for libraries, and predictions for the future. We learned that one CD-ROM disk can store the information contained on 1500 floppy disks (or 552 million bytes) -- amazing! But the big question seems to be: who will provide the software? The speakers agreed that this will be a major policy issue and could be expensive for libraries. Complicating factors are the variety of software approaches (software can be put directly on the CD-ROM disk or provided separately, as a floppy disk) and the proprietary rights involved with some of the software. But they all concurred that when prices come down, the right software is readily available, and standards are set, we will see a great proliferation of CD-ROM technology, as has been the case with compact audio disks.
GLEANINGS

Bound Congressional Record - Council did pass a recommendation about this on-going concern (see #8 below). We were told that the Index to Vol. 127 has not yet been printed.

Case of the Missing Microfiche - In a storage room at GPO they sit: piles and piles of boxes of microfiche rejected because of defects. Thousands of titles are included in this problem. GPO is suing the contractor responsible for this situation. After Nov. 1, new contracts will begin with 8 separate contractors. One will be for CFR only, with a 5-day turnaround time. Other individual categories to be covered by separate contracts include:

1) bound Congressional Record
2) hearings and prints
3) reports, documents and GAO reports
4) the Monthly Catalog

It seems likely that all these general areas have been affected by the defective fiche problem.

"Why GPO Should Use Alkaline Paper" - An excellent presentation was given on this topic by Linda Nainis, Chair of the AALL Preservation Committee. She provided copies of a paper by this title which she had prepared, as well as some graphic examples of deteriorating books. Council did pass a recommendation regarding paper permanency (See #6). If you wish to have a copy of Linda Nainis’s paper, contact her at Georgetown Univ. Law Library, 600 New Jersey Ave., N.W., Washington, DC, 20001, phone: (202) 662-9171.

Pilot project funding denied; OTA study awaited - The House Appropriations Committee deferred funding for pilot projects until an on-going study by the OTA is completed. The Senate Appropriations Committee followed the House recommendation on this matter. See House Report 100-173 and Senate Report 100-158. The OTA study, due out in 1988, is entitled Technology, Public Policy and the Changing Nature of Federal Information Dissemination.

TASK FORCE REPORT FROM ASSOCIATION OF RESEARCH LIBRARIES

Jaia Barrett discussed Report No. 3 of the ARL Task Force on Government Information in Electronic Format. This report, entitled Technology and U.S. Government Information Policies: Catalysts for New Partnerships, predicts future shifts in patterns of federal information creation, delivery and usage, due to the implementation of electronic format. Having considered both public and private sector roles in providing government information, the task force sees a need to reassess government’s obligation and libraries’ responsibilities in view of the new opportunities being created. While task force members do support the distribution of electronic information through the Depository Library Program, they feel libraries shouldn’t make a blind commitment to take whatever is offered and make it work somehow. Depository librarians need to talk to their library administrators about what’s ahead and what will be needed. The task force plans to develop recommendations for changes in the depository program and seeks input from librarians. Copies of the full report are available from: ARL, 1527 New Hampshire Ave., N.W., Washington, D.C. 20036.

con’t on next page
SUMMARY OF DLC RECOMMENDATIONS
(full text to be published in Admin. Notes)

1. Recommends that LPS continue to publish in the Monthly Catalog both the monthly list of corrections and the cumulation of these listings in the annual index volume. (LPS had proposed that one or the other be dropped).

2. Accepts the proposal by LPS to discontinue listing "New Classification Numbers" in the Monthly Catalog. (This information can be found on shipping lists or in the new "Weekly Updates to the List of Classes").

3. Applauds the creation of the Information Technology Program and the appointment of Jan Erickson to head it. Council will create a subcommittee to help in the next several months with the development of plans for pilot projects. These plans are to be presented next February at the appropriation hearings for FY 1989.

4. Thanks those responsible for the October 13 Census Workshop and suggests the formation of a planning committee to identify and to help in meeting the needs of depository library users for products from the 1990 Census. Recommends specific things to be done in the next 2 years to prepare for depository distribution of census material.

5. Recommends a serials control system be implemented at LPS.

6. Asks the Public Printer to convey to JCP our concern about the archival value of government publications. Once JCP adopts a specification for paper permanency, Council suggests that government agencies be made aware of the availability of permanent paper and be encouraged to use it for publications with research value.

7. Recommends that GPO review its original agreement with DOE regarding the provision of bibliographic access to energy information through Energy Research Abstracts. (DOE has proposed the discontinuation of paper copies of this publication.)

8. Recommends that dual-format distribution of the bound Congressional Record be reinstated for depository libraries. This would take effect when additional bound volumes of the Record are to be published. (Congress must first appropriate funds for printing each volume and GPO has no control over these delays. Volume 131 is already in the system as "microfiche-only" for depositories and we'll have to live with that.)

9. Recommends that LPS fill the vacant inspector position and encourages implementation of a 3-year inspection cycle. (Currently it is 6 or 7 years between inspections.)

10. Expresses concern about the current backlog of undistributed microfiche. (These are defective and are currently the subject of litigation—see Admin. Notes, Vol. 8, No. 1B, p. 15.) DLC asks for a list of titles and SuDocs numbers of these "embargoed fiche". (We were told this is not possible, but we let the recommendation stand. Approximately 6,000 microfiche titles are involved.) Asks LPS to develop a tracking system to identify the status of all documents, paper and microfiche, between print order and final shipment.

11. Commends Kathleen Eisenbeis (Council member) and others at Univ. of Texas for compiling the index to Admin. Notes (appeared as Vol. 8, No. 10).

Sally Holterhoff
On October 29, President Reagan nominated Judge Douglas Howard Ginsburg for a seat on the U.S. Supreme Court. In marked contrast to unsuccessful nominee Judge Robert Bork, Judge Ginsburg has not left a trail of controversial articles, opinions, and speeches to provide the Senate Judiciary Committee with insight into his character and political leanings.

Judge Ginsburg, however, is no stranger to the Congress. He has undergone cursory confirmation hearings for appointments to the Attorney General’s Antitrust Division and to the U.S. Court of Appeals for the District of Columbia. As Assistant Attorney General and as Administrator of the Office of Management and Budget, he has testified before several House and Senate committees. Of particular interest to documents librarians is his participation in the drafting and defending of the notorious OMB Circular A-130, "Management of Federal Information Resources."

Using CIS/Index, I identified Congressional hearings in which Judge Ginsburg’s testimony appears. The entries are arranged in reverse chronological order and include the date, the title of the hearing, the name of the committee and subcommittee, the Superintendent of Documents call number, specific page numbers, his official position at the time of the testimony, and selected excerpts or short descriptions about the nature of his testimony. A short subject index follows the entries and is keyed to entry numbers.

The author hopes that this information will be of use to other law librarians who may be called upon to locate and supply material concerning a recent nominee to the Supreme Court.

1. October 1, 1986


Sen. Heflin: Mr. Ginsburg, the phrase "judicial activism" is often used to describe the tendency of judges to make decisions on issues that are not properly within their scope of authority. What does the phrase "judicial activism" mean to you?
Ginsburg: Mr. Chairman, I would identify two practices with that phrase, one of which is the gratuitous resolution of or reflection on issues that are not squarely presented to the court by the case at hand. That is a practice that I think should be avoided in every instance.

Second, I think the administration of complex decrees sometimes involves courts overzealously in the management of public and private institutions that are subject to their jurisdiction; if that administration could be accomplished by other branches of Government or there are private parties involved, then certainly courts should not jump too readily to that task.

Sen. Heflin: Thank you, Mr. Ginsburg. You seem to have come through with flying colors and good luck to you the rest of the way. (236-37)

Sen. Simon: ... one of the criticisms of the DC Court of Appeals is frankly that it is getting too academic, that you do not have enough lawyers with trial experience. I notice that the Bar Association gave you a qualified for the Court of Appeals, which is better than some Court of Appeals nominees we have received up here, but not well qualified or exceptionally well qualified. That may be the reason for the Bar Association’s reluctance to give you a higher ranking.

There is no question about your legal ability and your personal skills. Do you have any comment about this criticism of the court becoming too academic?

Ginsburg: ... I do think that there is an appropriate role for qualified academic lawyers joining an appellate court, particularly, where the issues are more abstract and do not involve direct resolution of the sorts of moment to moment questions that arise in a trial court.

At the same time, I think a court should be, and a court of 12, as the DC Circuit is, very well can be balanced adequately and reflective of a variety of different backgrounds if it has even one or two people from each relevant background, including trial lawyers, academics, people who have been judges before in other systems, people who have served in the executive branch. I think that sort of diversity is very important in the court and I would not want to see it become homogeneous. (254-55)

2. September 10, 1986


testifying as Assistant Attorney General, Antitrust Division, and with Mark S. Fowler, Chairman, Federal Communications Commission, and Alfred C. Sikes, Assistant Secretary, National Telecommunications and Information Administration, Department of Commerce

testimony and inserted material appear at pp. 92-98 and 110 supporting S. 2565 (99th Cong.), "Federal Telecommunications Policy Act of 1986"
3. June 5, 1986

testifying as Assistant Attorney General, Antitrust Division, and with Heather Gradison, Chairman, Interstate Commerce Commission, and John Riley, Administrator, Federal Railway Administration

testimony and inserted material appear at pp. 94-102 and
125-44
opposing H. 1140 (99th Cong.), "The Railroad Antimony Act of 1986"

4. April 28, 1986

testifying as Assistant Attorney General, Antitrust Division

testimony and inserted material appear at pp. 6-19
supporting S. 2163 (99th Cong.), "Interlocking Directorate Act of 1986"

5. April 9, 1986

testifying in place of Attorney General Edwin Meese and as Assistant Attorney General, Antitrust Division

testimony and inserted material appear at pp. 24 and 42-60
supporting S. 2160 (99th Cong.), "Merger Modernization Act of 1986"

6. March 21 and April 15, 1986

**Antitrust Remedies Reform**, before the Senate Committee on the Judiciary, Y 4.J 89/2:S.hrg. 99-808
testifying as Assistant Attorney General, Antitrust Division

testimony and inserted material appear at pp. 23-51 and
156-68
supporting S. 2162 (99th Cong.), "Antitrust Remedies Improvement Act of 1986"

Ginsburg: S. 2161 provides certainty and can be implemented easily. The determination of when multiple damages are recoverable turns on an element of proof already required in every case: the plaintiffs damage theory. Alternative proposals to detreble for certain categories of conduct would engender lengthy litigation over the appropriate characterization of the offense charged. Indeed, the number of Supreme Court cases on the question whether particular conduct should be treated as "per
se" unlawful or instead subject to the "rule of reason" is a stark reminder of the need for a distinction that is not easily manipulated in order to turn actual damages cases into punitive damage cases. (35)

Ginsburg: The Administration is opposed to the approach taken in S. 1300 because, while increasing fairness in antitrust litigation is an important consideration, our first concern must be to maintain appropriate levels of deterrence. In our view, S. 1300's elimination of joint and several liability would decrease deterrence of hard-core antitrust offenses to an unacceptable degree, a problem that we think can be avoided by the claim-reduction approach. (157)

7. March 13, 1986

testifying as Assistant Attorney General, Antitrust Division, and with Rodney L. Joyce, Acting Assistant Secretary, National Telecommunications Information Administration, Department of Commerce


8. March 7, 1986

testifying as Assistant Attorney General, Antitrust Division, and with Ralph J. Justus, Executive Officer, and Robert N. Ford, Deputy Assistant Attorney General for Administration

... testimony appears at pp. 1024-29

Mr. Early: The fiscal year 1986 Appropriation Act contained a provision expressing the sense of Congress that the antitrust enforcement policy guidelines published in January 1985 are not accurate expressions of Federal antitrust laws, or congressional intent with respect to the application of such laws to the resale price maintenance and other vertical restraints of trade, and should be recalled by the Attorney General. What actions have you taken to comply with this provision?

Ginsburg: First I have tried to make clear in speeches and elsewhere that the guidelines constitute our enforcement principles and not a statement of what we believe the law to be.

Now, as to any steps that could be taken along the lines suggested by the resolution, it would be misleading, I am afraid,
to the bar and to the business community if we were to "withdraw"
the guidelines and then nonetheless maintain them as our practice
for enforcement policy, as our guide.

So there is no real way in which we can practically do
anything that constitutes withdrawal of the guidelines without
really affirmatively misleading people. (1029)

9. November 21, 1985

Department of Transportation and Related Agencies
Appropriations for 1987, reprint of statement before the Senate
testifying as Assistant Attorney General, Antitrust
Division
inserted material appears at pp. 95-107
opposing the proposed sale of the Consolidated Rail
Corporation to Norfolk Southern Corporation as "anticompetitive
unless there was a substantial divestiture of rail properties in
a five state area stretching from Illinois in the West to New
York in the East". (96)

10. October 23, 1985

Process Patents, before the Senate Committee on the
Judiciary, Subcommittee on Patents, Copyrights and Trademarks,

supporting S. 1543 (99th Cong.), "Process Patent Amendment
of 1985"

Ginsburg: We do suggest that the bill be amended along the lines
discussed by the Commissioner so that if an American patentee is
unable, after making reasonable efforts through discovery, to
determine whether its patent is in fact being infringed, and if
it can show that there is substantial likelihood that it is being
infringed, the burden of proof would shift to the defendant in
order to show that the patent is not being infringed. (25)

11. July 24, 1985

Confirmation Hearings on Federal Appointments, before the
Senate Committee on the Judiciary, Y 4.J 89/2:S. hrg 99-141/pt. 2
nominee to be Assistant Attorney General, Antitrust
Division
testimony and inserted material appear at pp. 183-213 and
222-24
Sen. Specter: I think that your credentials are extraordinarily fine—the University of Chicago Law School and Harvard law faculty and other background which your bring.... But it is, I think, very good that the Department of Justice is attracting men of your caliber—young men with fine academic backgrounds and good work experience to tackle these very important and difficult jobs. (194)

Sen. Metzenbaum: To date, I have not received any information which would cast a cloud over Mr. Ginsburg, the nominee. Your academic background is outstanding; you meet the qualifications for the position. But I continue to be concerned, Mr. Chairman that the President has again chosen a devotee of the so-called Chicago School of Antitrust.

Indeed, I note that Mr. Ginsburg is a graduate of that school, which believes that their own theories should replace Supreme Court decisions and common sense about enforcing the antitrust laws for the benefit of consumers. (221)

12. July 17, 1985

OMB’s Proposed Restrictions on Information Gathering and Dissemination by Agencies, before the House Committee on Government Operations, Subcommittee on Employment and Housing, Y 4.0 74/7:0f 2/4

  testifying as Administrator for Information and Regulatory Affairs, OMB

  testimony and inserted material appear at pp. 74-132, 161-64 and 239-57 (the latter being the text of a speech to the Information Industry Association, Sept. 20, 1984, "Federal Information Resources Management: The Challenge of Change")

supporting OMB’s circular on "Management of Federal Information Resources"

Ginsburg:...in the circular we have defined access to information as the function of the Government agency providing to members of the public on their request the Government information to which they are entitled under law. In our usage, access refers to those situations in which the Government agency’s role is essentially passive. Access is a responsibility that Government has when the public comes to it and asks for information.

Dissemination, in contrast in our usage, refers to the function of distributing Government information. It connotes an active outreach by a Government agency. It refers to those situations in which Government agencies provide the public with information without the public having to come to ask for it. Examples would include both electronic and paper-based dissemination systems such as the Federal Depository Library system, which is obviously the single most important in that all Government documents are supposed to appear in it, and the information distribution efforts of the various departments.

The problem lies in determining what information is appropriate for Government to collect and how far Government agencies should go in the business of actively placing
information, disseminating it, placing it in the hands of the
citizenry before it exceeds proper limits. Those proper limits
are most usually set by economic considerations...
We are not intending to make economic value of information the
only value to be considered in managing Government information.
We are not intending to make the ability to pay the sole
criterion for citizens' acquiring Government information. And we
recognize that there are many cases in which economic
considerations cannot be controlling...(76-77)

Ginsburg: I would like to tell you today what we think that OMB
can do to make the depository library system a better information
safety net... We are concerned that substantially less than all of
the documents that should be entering the depository library
system are in fact doing so. We need to find ways to ensure that
agencies comply with and fully understand their obligations to
enter documents in the library system. To this end, we have
begun discussion with the Government Printing Office and with the
Joint Committee on Printing as to how we can solve this problem
together and supply to the depository libraries the publications
they should be receiving. (78)

Ginsburg: In September 1983 we published a notice in the Federal
Register announcing our information management policy initiative
and soliciting comments on the issues we should address in our
policy document. The starting point for this effort was the
updating and revision of current OMB information policy
circulars. ...let me hasten to add that we also made it clear
that everything was up for grabs. We are willing to question
what some might consider basic articles of faith regarding the
management of federal information resources, if it can be
demonstrated that a change would contribute to the effective,
efficient and safe use of information support systems. (253-53)

13. April 4, 1985

**Impact of Corporate Takeovers**, before the Senate Committee
on Banking, Housing and Urban Affairs, Subcommittee on
Securities, Y 4.8 22/3:S.hrg. 99-187

accompanying Deputy Director of OMB, Joseph R. Wright, Jr.,
as Administrator of the Office of Information and Regulatory
Affairs
testimony appears at pp. 647-51, 662-66

Ginsburg: I think it is true that the business judgment rule has
been a very weak prophylactic, historically...

Sen. D’Amato: Ginsburg is good. Let me ask you something. Your
background, are you an attorney?

Ginsburg: Yes, sir, I am a professor at Harvard University, on
leave to the administration.

Sen. D’Amato: Well, it comes through. We are lucky to have you.
(648)
Sen. D’Amato: Is that your second home, Professor? (Laughter)

Ginsburg: Mr. D’Amato, my second home is 100-percent debt financed, because I couldn’t afford it.

Sen. D’Amato: Boy, you’re going to be in trouble soon.

Sen. Proxmire: You’re a very distinguished professor at Harvard with a very solid income, assured for years, you’re a brilliant man, you’d have no trouble -- most really, distinguished professors as you are in economics make a whale of a lot more on the outside. You have no problems. (662)

14. March 12, 1985

Corporate Takeovers (Part 1), before the House Committee on Energy and Commerce, Subcommittee on Telecommunications, Consumer Protection, and Finance, Y 4.En 2/3:99–99 testifying as Administrator of OMB’s Office of Information and Regulatory Affairs, accompanying Joseph R. Wright, Deputy Director, Office of Management and Budget testimony and inserted material appear at pp. 197-212

15. April 10, 1984


16. March 21, 1984

Competitive Equity in the Financial Services Industry, before the Senate Committee on Banking, Housing, and Urban Affairs, Y 4.B 22/3:S.hrg. 98/629/pt.3 testifying as the Deputy Assistant Attorney General testimony and inserted material appear at pp. 1550–79 supporting S. 2181 (98th Cong.), “Financial Services Competitive Equity Act”

17. January 24, 1984

The Impact of Coal Land Exchanges on Value of Indian-Owned Coal, before the Senate Select Committee on Indian Affairs, Y 4.In 2/11:S.hrg. 98-654 testifying as Acting Assistant Attorney General, Antitrust Division testimony appears at pp. 147–54
June 30, 1983

testifying as an individual (Professor of Law, Harvard Law School)
testimony and inserted material appear at pp. 324-34

Ginsburg: I would suggest that the present procedures under which the Department of Justice reviews a business proposal and announces its present intention with respect to enforcement or nonenforcement, whether it believes the proposed activity would violate the antitrust laws is deficient precisely because it is incapable of assuring the proponents of the proposal that they will be secure from the type of private litigation that Mr. Stein has just been describing as little threat. (324)

SUBJECT INDEX

antitrust
  corporations  4, 5, 13, 14, 18
  general  6
  railroads  3, 9
  telecommunications  2, 7
appropriations  8
banking  16
coal leases  17
information management  12
joint ventures  18
mergers  5, 15
nomination
  circuit court judge  1
  asst. att. gen.  11
patents  10
takeovers  13, 14

Cheryl Nyberg
INTERNATIONAL LEGAL DOCUMENTS

This article will report on recent international legal material from intergovernmental agencies. The agencies focused on are: the Food and Agriculture Organization (FAO), GATT, International Atomic Energy Agency (IAEA), the International Labour Office (ILO), the International Maritime Organization (IMO), The International Union for the Conservation of Nature and Natural Resources (IUCN), Organization for Economic Co-operation and Development (OECD), UNESCO, the United Nations, and the World Intellectual Property Organization (WIPO).

FOOD AND AGRICULTURE ORGANIZATION

The two primary sources of legal information are Food and Agriculture Legislation (biannual periodical) and the FAO Legislative Studies. The trend at many of the international agencies is to issue publications in one language only. FAO is no exception. The following is a list of the Legislative Studies which have been issued in French and Spanish only:

no. 8: Legislacion de aguas en America Central,
Caribe y Mexico. 1983. 204p. [92-5-301981-6]

no.11: Fundamentos teoricos para una legislacion
tributaria en el sector agropecuario.
1975. 105p. [92-5-300133-X]

no.13: Derecho agrario y desarrollo agricola. Estado
actual y perspectivas en America Latina.
1976. 218p. [92-5-300137-2]

no.18: Reforma agraria y desarrollo rural integrado.
Marco conceptual e implicaciones juridicas. 1979. 123p. [92-5-300801-6]

no.37: La Legislacion forestiere au Capvert, en
Ethiopie, en Gambie, au Mali et en
Mauritanie, au Niger, au Rwanda et au
Senegal. 1986. 105p. [92-5-202309-7]

no.38: Impacts sur l'environnement des incitation
economiques a la production agricole;
Etude de droit compare, 1986. 103p.
[92-5-202360-7]

no.39: Propiedad, Tenencia y redistribucion de
Tierras en legislacion de America Centrale
y Mexico... 1987. [92-5-302472-0]

Recent releases in this series:

[92-5-102507-X]

[92-5-102511-8]

no.42: Regional Compendium of Fisheries Legislation
v.1: [92-5-102567-3], v.2: [92-5-102568-1]
Other titles issued by FAO in series:


GATT

GATT publications which are made available for sale are few and far between. The majority of GATT publications are made available on fiche only from:

Mr. J. Hanus, Director
Documentation Division/GATT
Centre William Rappard
Rue de Lausanne 154
1211 Geneva 21 Switzerland

Publications recently released:

- GATT Activities. 1986. [92-870-1027-7]

Publications to be released soon:

- Basic Instruments and Selected Documents; supplement no. 33. Due 11/30/87
- International Trade. 1986/87. Due 12/30/87

INTERNATIONAL ATOMIC ENERGY AGENCY

The Legal Series is the primary vehicle for legal materials. The latest issue is no. 13: Reglementation des Activites Nucleaires. 1986. [92-0-276086-1]. It has been issued in French only. IAEA does not however appear to be issuing many titles in French or Spanish only.

INTERNATIONAL LABOUR OFFICE

Recent releases include:

INTERNATIONAL MARITIME ORGANIZATION
Recent releases include:
- Regulations for the Control of Pollution by Noxious
  Liquid Substances in Bulk. (Annex II, MARPOL
  73/78) [92-801-1206-6]
- Regulations for the Prevention of Pollution by Oil.
  (Annex I, MARPOL 73/78)

INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE
The two series of interest are the Environmental Policy and
Law Papers and the Environmental Policy and Law Occasional
Papers. The most recent releases in these series are:
- African Wildlife Laws. (Environmental Policy and Law
  [2-88032-091-7]
- International Wildlife Law. (Environmental Policy and
  [0-906496-46-2(HDBK)] available only through
Grotius Publications Ltd, UK.
- Migratory Species in International Instruments: An
  Overview. (Environmental Policy and Law Occasional

ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT
Recent releases include:
- Chemicals Control Legislation: An International
  Glossary of Key Terms. 1982. [92-64-12364-4(pkb)]
- Introduction to the OECD Codes of Liberalisation.
  1987. [92-64-12978-2]
- Product Safety: Developing and Implementing Measures.
  1987. [92-64-12924-3]
- Relationship Between Taxation and Financial
  Reporting: Income Tax Accounting. (Accounting
  Standards Harmonization no. 3) 1987.
  [92-64-02938-9]

UNESCO
UNESCO publishes few titles which relate to the legal
community. The most recent title which is of interest is
Teaching and Research in International Law in Asia and the
Pacific, 1986. (Social and Human Sciences in Asia and
the Pacific. RUSHAP series on Occasional Monographs and
paper no. 11).
UNITED NATIONS
Recent releases include:


Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or not Approved by Governments. 1987. E.87.IV.1 [92-1-130120-3]


Foreign Direct Investment, the Service Sector and International Banking. 1987. E.87.II.A.15 [92-1-104204-7]

Groundwater Legislation in the ECE Region. 1987. E.86.II.E.21 [92-1-116372-2]


International Tax Agreements. Supplements 43 E.85.XVI.1 [92-1-159070-1] and 44 E.85.XVI.2 [92-1-159072-8]


Motor Insurance and Compensation of Motor Accident Victims in Developing Countries. 1987. E.86.II.D.6 [92-1-112224-6]

Multilateral Treaties Deposited with the Secretary General as of December 31, 1986. 1987. E.87.V.6 [92-1-133293-1]


WORLD INTELLECTUAL PROPERTY ORGANIZATION

Nellie Moffitt

*************************************************************************
*************************************************************************
*************************************************************************
*************************************************************************
RELATIONS WITH GPO

This is a brand new, hopefully regular, column in Jurisdocs. In order to make it work, I need your assistance. The ultimate plan is for you, the readers, to contact me with any problems you are having with GPO in any area - sales, depository program, etc. Then I will contact GPO to find out what is going on and report back to you through this column. Hopefully this will eliminate GPO's having to respond to a number of inquiries if everyone is having the same problem. Or we may be able to determine that it is a problem unique to you. Whatever, here goes!

The inaugural column deals with the problem of microfiche copies of the Code of Federal Regulations (CFR). Yes, there is a problem - a major one. The last issues of this title sold and distributed are from the 3rd quarter of 1986. That means the 4th quarter 1986 and all of 1987 up to this point have not been distributed. It seems the problem stems from the fact that the microfiche copy is shot from the paper copy itself. The paper is too thin and bleeds through, making the microfiche copies unusable. GPO is currently in the process of arranging with a contractor to shoot from the negative itself, thereby eliminating this bleeding problem. Once this is done the backlog should be taken care of fairly rapidly. I know it is encouraging to know that help is on the way, but it does not make the present any easier to deal with.

In the course of talking with GPO about the CFR problem, I acquired the following bits of information: as of Friday Oct. 23rd, the microfiche version of the Federal Register was current with the Oct. 2, 1987 issue; the microfiche version of the daily Congressional Record was current within a week and the microfiche version of Volume 131 Congressional Record (bound) is presently coming out - sales copies have been distributed. If your library is like mine, you still have not received any microfiche copies of Volume 131. Library Programs Service has the copies, but they have not distributed any yet. A question for another column I suspect.

Hope this information is of some help. Please contact me with other problems, concerns, suggestions, etc. at:

Susan E. Tulis
Documents Department
Arthur J. Morris Law Library
University of Virginia
Charlottesville, VA 22901
Phone: (804) 924-3504

*******************************

NOTABLE DOCUMENTS SPOTLIGHT:

The Office of Child Support Enforcement

While Congress has been passing child support legislation since 1950, the Office of Child Support Enforcement was created as a separate organizational unit within the Family Support Administration of the Department of Health and Human Services in 1975. Title 4-D of the act also established a Federal-State scheme that called for the administration of child support enforcement plans by State 4-D agencies (Public Law 93-647). While collections improved in the late 1970's and early 1980's, Census Bureau figures reported that 40 percent of families theoretically entitled to support orders did not have them, and overall noncompliance with support was at epidemic levels.

In 1984, the Child Support Enforcement Amendments Act made a number of changes in the statutory relationship between the federal and state governmental agencies charged with establishing and collecting child support orders. (Public Law 98-378) Among the provisions of the act are sections requiring states to enact laws providing for:

1) employer withholding of wages if support payments are delinquent in an amount equal to one month’s support
2) expedited court or administrative procedures to obtain and enforce child support orders
3) withholding child support payments from state tax refunds (1984 CQ Almanac 463).

The Office of Child Support Enforcement (OCSE) has published several useful documents in the last two years that provide guidance to state and county officials, judges and attorneys who are responsible for implementing and interpreting the act. This survey will list and briefly annotate these publications.

HE 24.2:At 8 – Essentials for Attorneys in Child Support Enforcement;


These two publications contain very similar text with slight variations for the intended audiences. The attorneys addressed in Essentials for Attorneys in Child Support Enforcement are those who are employed by State and local child support agencies. This work also contains a wealth of practical materials ranging from suggested interview techniques to sample forms from various jurisdictions. Both publications contain current information on the changes mandated by P.L. 98-378 and both works also include a chapter on the state of scientific testing for paternity establishment.


Section 18 of P.L. 98-378 required states to establish guidelines for child support awards by October 1, 1987. This 1985 interim report advocates the use of statistical formulas in setting support order levels. The text analyzes the basic economic criteria that should be considered in developing a formula and describes five model formulas.


This publication was produced by Deborah Dale and Charles Brackney of the Child Support Enforcement Project of the National Conference of State Legislators and published by OCSE. It consists of a state-by-state listing of statutory provisions in existence prior to 1984 that comply with the standards and procedures mandated by P.L. 98-378, and those statutory sections which (at the time of publication) were in need of modification to meet the act’s requirements. This is an excellent comparative tool.

HE 24.2:In 2 – Mandtory Income Withholding Implementation Monograph (1985)

This brief monograph examines the core provision of P.L. 98-378: the mandatory withholding of income by employers of employees who fall behind in support payments. The recommendations contained in this work are
based upon successful State and county procedures reviewed by OCSE (although there are no citations to the particular programs). OCSE also published a Model Interstate Income Withholding Act with Comments (HE 24.2 M 72 microfiche) in the spring of 1986. The act was drafted by members of the Child Support Project of the American Bar Association and the National Conference of State Legislatures in November 1984.


This 45-page workbook "has been developed as a basic primer on the steps and issues involved in planning and implementing State tax intercept." The text is targeted toward those State and local government officials responsible for intercept programs. It includes chapters analyzing those Federal statutory provisions that must be incorporated into state law and attempts to point out possible problem areas. Appendices include several form letters from various jurisdictions and three case studies from Minnesota, California and Iowa.

Kevin Fredette

********************

NEWSWORTHY NOTES

*****

GPO MICROFICHE STUDY

As announced at the Government Documents SIS, July 1987 meeting in Chicago, Joanne Zich is preparing an article for Microform Review evaluating the quality of the microfiche distributed by GPO to depository libraries. Her evaluation will focus on the fiche in libraries in the Maryland region, but she is interested in identifying as many problems as possible. Please contact her at: American University Law Library; 4400 Massachusetts Ave., N.W.; Washington, D.C. 20016; Phone: (202) 885-2679, if you have any specific examples of problem microfiche in your depository collection (fading, discoloration, density, resolution, etc.). Include as much information as possible: Su Docs and/or item number; date you received the fiche, and description of the problem.

LEGISLATIVE ALERT

Gramm-Rudman & GPO Appropriations

The current federal budget bill under consideration in Congress is being adjusted to meet an 8.5% across the board reduction mandated by Gramm-Rudman considerations. The result for GPO will be the loss of 2.2 to 2.8 million dollars in possible funding. This reduction will become effective on November 20, 1987 unless an alternate solution is found by November 15, 1987. Although the date will have passed by the time this Newsletter is received, it is still important to request that our legislators meet with the President and urge him to retain funding for educational and library concerns which is consistent with some appropriations already agreed upon by the Legislature.

Electronic Pilot Projects

The fiscal year 1989 budget process will begin in January and now is the appropriate time for librarians to contact the House and Senate Subcommittees on Legislative Appropriations urging them to appropriate funding to support the selection of electronic formatted materials in the Depository Library Program. Federal agencies are in the process of planning for electronic products and the needs of
depository libraries should be considered in that planning.

Depository librarians need to contact those agencies that submitted proposals to JCP and indicate their support and interest in the pilots. The Depository Library System provides a ready made network for dissemination. Letters from university officials and library directors directed to the agencies are also helpful.

OTA Study

A draft of the OTA study, Technology, Public Policy, and the Changing Nature of Federal Information Technology is expected to be completed by the end of December 1987. Librarians should request a copy of the report, read it, and send their comments to Fred Wood at OTA before the report is in final form.

Susan Dow

JURISDOCS

Contributions

Contributions, comments, news items or inquiries about or for publication in the next issue of Jurisdocs should be sent by March 1, 1988 to:

Susan Dow
Jurisdocs Editor
Documents Department
Law Library - O'Brien Hall
State University of NY/Buffalo
Buffalo, New York 14260

Subscriptions

Jurisdocs is sent free of charge to members of GDSIS, and subscriptions are available to non-members and to institutions. For information regarding subscription rates, notification of address changes or claims for missing issues contact:

Keith Buckley
Jurisdocs Business Manager
Law Library
Indiana University School of Law
Bloomington, Indiana 47405