LETTER FROM THE CHAIRPERSON

Congratulations to Veronica MacLay who was elected Vice-Chair/Chair-Elect and to Mary Shearer who was elected Secretary/Treasurer. My thanks to Bill Walker and to Lyonette Louis-Jacques for agreeing to run for office. We are fortunate to have such talented individuals running in our elections.

The major responsibility of the Vice-Chair is to coordinate the planning of the SIS programs for the annual convention. Veronica is already at work soliciting program ideas. If you have any ideas, or wish to help with planning programs, please let her know. She would welcome ideas from anyone, especially from newer members of the SIS.

In the last issue of JURISDOCS, I mentioned that I was hoping to have a panel of representatives from various groups update the SIS on their group’s activities. The following individuals have agreed to participate in the panel discussion, to be held on Sunday, July 19th from 3:00 – 4:30 P.M.; Susan Tulis, representing the American Library Association, Robert Oakley and Kay Schlueter representing the Depository Library Council, and Judith Russell representing the Government Printing Office. In addition, Joe McClane from GPO will be available to answer questions. Please plan to attend this business meeting and come prepared with all of those questions you’ve wanted answered!

The SIS will have a table in the exhibit hall. Our table will be near the Government Relations Committee table. Volunteers are needed to help staff our table. If you have some time to spare, please let me know. It would be nice to have the table staffed as much as possible. It’s a good way to get new AALL members interested in the SIS. In addition, the GD/SIS will participate in the "Committee/Special Interest Section Marketplace" during this year’s CONELL program.

The Special Committee on Preservation Needs of Law Libraries, under the leadership of Margaret Leary, has issued its report. The report makes the following recommendations for action by our SIS. The recommendations are: 1.) "compile and make available to the preservation committees and to the AALL membership information on federal, state, and local government information policies, particularly policies involving use or change of format"; 2.) "share information acquired on the physical condition of government documents"; and 3.) "consider polling the SIS membership for suggestions of government document sets they would like to have available in microform." A special meeting of the Special Committee has been arranged during the Convention to discuss the recommendations of the Committee. If you are especially interested in this topic, please let me know.

Since this will be my last column as Chair of the SIS, I would like to take this opportunity to thank all of those who have helped me during the past year. I would also like to thank all of the SIS members who have

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participated in SIS activities by serving on committees, agreeing to participate in the upcoming convention programs, and providing me with advice.

FROM THE EDITOR

THIS ISSUE
This issue is mostly articles by Susan Tulis. If Susan ever gets sick we may have to shut this newsletter down.

Robert Oakley's statement of AALL's opposition to S. 2748 is included. Unfortunately the hearings for S. 2748 are scheduled during the Convention.

Finally, the yearly call for volunteers form can be found at the end of this issue. This is a good way to participate in AALL and the SIS without having to give up massive amounts of your evenings and weekends, like the SIS officers do. Besides, you may find out that you like it. Please fill it out and mail it in.

SUBMISSIONS FORMAT
As I have mentioned in each issue, I would like to receive your writings on a disk, if possible (this saves me a great deal of time). I can process 5.25 and 3.5 inch disks, in either Macintosh or DOS format, and in any density. If you send a DOS disk please save your file(s) in either Word Perfect (my 1st choice) or as generic ASCII text (the form of last resort). If you send a Macintosh disk please save your file(s) in McWrite, McWrite II, Word, or text.

There has been a problem with the 3.5 inch DOS disks that are not HD but are formatted with the default HD format command. Such disks can only be read by the PC's that format them. The two best solutions are to 1) send a 3.5 inch HD DOS disk if you format the disk with the default format settings, or 2) format with the special DD (double density) format command if you are sending a 3.5" DOS DD disk.

BUSINESS MEETING AGENDA ITEM
Last year, the members attending the annual business meeting decided that the SIS should continue to print JURISDOCS ourselves rather than have Headquarters print and distribute it for some unknown cost.

During this past year Susan Dow, and the staff at her library, generously shouldered the burden of printing and distribution. However, now that her term as Chair is up we need to once again discuss the problem of printing and distribution.

The duties we are asking someone to volunteer for would require arranging for the printing of JURISDOCS from my camera ready copy. The newsletter could be printed either in-house or through some local print shop, and then the volunteer(s) would apply the mailing labels and take them to the Post Office for mailing.

We need to arrange for volunteers from the SIS to assume these tasks or we will be forced to give up control and let Headquarters take over printing and distribution.

WHY THIS ISSUE IS SO LATE
The lateness is the result of a combination of my attendance at the ALA Convention, the last minute inclusion of the S. 2748
story, and the time and effort required to print and distribute each issue. All of these elements conspired to delay this issue's arrival until after the AALL annual meeting.

MY LETTER TO THE EDITOR

My letter to the AALL President (see Spring 1992 JURISDOCS, page 15) generated two official responses that were as different as night and day (see LETTERS TO THE EDITOR, below).

LETTERS TO THE EDITOR

April 29, 1992
Dear Mr. Batista:

Your letter concerning AALL's inflation adjustment proposal touched on a number of concerns. I hope at least some of your questions regarding the inflation adjustment will be answered in future issues of the AALL Newsletter or at the discussion session at the business meeting in San Francisco.

As to your concerns about the Association finances, funding, and activities, I can only suggest that you read the Newsletter. Association leaders do, I believe, make every effort to communicate with members about activities in a meaningful way. We also make great efforts to solicit member input to direct our activities. The Strategic Plan process and document reflect this.

I am sorry that you seemingly have such dissatisfaction with the association in general. As President, I have made every effort to lead the association in directions that meet the needs of the majority of our members and our profession while being fiscally responsible.

Sincerely,
Carolyn P. Ahearn, President

June 2, 1992
Dear Mr. Batista:

Thank you for your letter of April 16, about the proposed bylaw amendment. President Ahearn asked members to express their concerns. Your letter furthers discussion about this important proposal. President Ahearn has been very busy with other AALL activities so I am responding to your letter.

For convenience I have grouped your questions: dues proposal, AALL openness to discussion, member benefits, headquarters, SIS financial information and convention location.

Dues Proposal. The proposed bylaw amendment changes the way AALL adjusts dues because of inflation. The amendment authorizes the Board to adjust the dues. Now, changing the dues amount, for any reason, requires amending the Bylaws during the annual meeting.

The amendment limits the adjustment amount to less than the Gross National Product Implicit Price Deflator for the previous year only. (The actual index used in the final proposal may be the Gross Domestic Product Implicit Price Deflator, because of changes at the Department of Commerce.) For example, if the amendment passes and the Board decides to adjust the dues, the largest adjustment permitted is $4.25. ($115 times 3.6%, the 1991 index is 3.6%). This would make the 1993 dues no more than $119.25.

However, should the San Francisco convention generate considerably more income than budgeted, the Executive Board probably would decide not to adjust the dues for 1993. Then, in 1993, assuming the index for 1992 is 3%, the most the dues could be adjusted is $3.45 ($115 times 3%). This adjustment would apply to the 1994 dues.

In 1989 a bylaw amendment raised the dues to $115 from their 1981 amount
$65. That amount made up for money lost to inflation. During the 1989 debate a member, Nick Triflin, suggested linking dues to the cost of living. The current indexed dues proposal does just that. It permits AALL to make small incremental changes in the dues to avoid large, single increases to catch up with inflation.

Openness to Discussion. The AALL Newsletter does accept letters. No letters have appeared since December 1990 because no one has written any. The December 1991 Newsletter included a tear-off coupon that asked, "What do you want the AALL Executive Board or Headquarters to know?" Only one person responded.

Proposed bylaw amendments do not require advance notice to the members. In announcing this amendment early, the President asked to hear the concerns of members about the proposal. Surely, this evinces the Executive Board's commitment for openness, by including members in the decision making process, for sharing information and plans with the members as early as possible.

The annual business meeting and town meetings provide other association-wide forums for member input. The annual business meeting is open to every member and any member may address the assembly. To encourage new ideas, the second business meeting last year included a 'soap box' session. Town meetings, provide a forum for discussion of significant questions outside the business meeting. The 1988 revision to the membership categories followed a town meeting. The Strategic Planning Process involves town meetings where all members are welcome.

AALL committees and Special Interest Sections help develop and implement programs and shape Association policy. Every individual member and designated institutional member is eligible to serve on a committee. Service on a committee is limited to a single two-year term. Each committee must have at least one member who has never served on a committee. SIS membership is also open to every member.

The Executive Board meetings are open to members (except during executive session when the board discusses personnel matters). A representative from the Special Interest Sections and one from the Chapters attends the Board meeting and participates in the discussion.

AALL is not perfect but I do think it is open to member ideas. I want greater member participation in the Association activities so please let me know of any ideas you have to increase participation.

Member Benefits. For $115 each member receives $160 worth of printed material: the $60 Directory, the $50 Newsletter and the $50 Law Library Journal. Membership benefits also include the right to vote, join special interest sections and volunteer to work on committees.

Other benefits include the Headquarters staff who help provide many of the services members want. Some of those additional services include: special mailings announcing the annual convention and the mid-winter institute, maintaining the Career Hotline/Job Database Service, Gov-Line and the Research Instruction Caucus clearinghouse, fielding questions about law libraries and referring the caller to the proper member, answering questions about the association, answering questions from potential members, editing AALL publications, distributing press releases, selling advertising for the publications, supporting professional development activities, maintaining the membership database and selling mailing lists, providing secretarial and clerical support for the executive board and committees.

Since the last dues increase in 1989, 1,265 new members have joined the association and have maintained their membership. Membership in the Association now exceeds 4,900. Presumably, they find membership in AALL a valuable investment.

Dues are less than 25% of AALL's 1992 budget. A little over 10 years ago, in
1981, dues provided 38.5% of income and covered 68% of expenses. If dues were the only source of income, then each member would need to pay $425 to cover our current expenses.

The Executive Board approves the Association budget and establishes the policy of who may spend money. The 1991-92 budget appeared in the March Newsletter. The budget supports membership benefits - the annual meeting, placement services, committee activities like the Relations with Information Vendors and the Government Relations Committee, etc.

Like most law libraries today, economies in AALL activities have already been taken - and continue to be taken. This year, for example, the cost of health insurance is down, as is the price for printing the newsletter. Further, like most law librarians the Executive Board, strives to increase non-dues income. Since 1989, non-dues income (excluding the annual meeting income) has grown from $699,591 to $754,999 in 1991.

Headquarters Location. When AALL established its headquarter office in Chicago in 1969 many other associations, including the American Bar Association, the American Libraries Association, Medical Libraries Association already had their offices there. Many still do. (In fact, after Washington, D.C. more associations have headquarters in the Chicago area than anywhere else. Before renewing the lease (which expires in 1997) we will study carefully our options, including moving headquarters to Washington D.C.

The AALL staff is smaller than other associations. With 4,900 members we have 9 staff members. The Association of Legal Administrators with 7,888 members has 31; Medical Library Association with 5,199 members has 19.4; Special Libraries Association with 13,500 members has 34. For more about the responsibilities of individual staff members, see the chart in the September Newsletter.

Why can’t SIS’s get an accurate financial statement? Part of the answer to this question is that the membership year differs from the fiscal year (June 1 vs. October 1). The Association’s accounting system works around that difference by allocating 1/3 of dues to the year in which they are paid and 2/3 into the next year. Thus, on October 1, every SIS receives 2/3 of the dues their members have paid.

The current accounting system was designed several years ago to meet the needs of smaller sections, with less money. Now it does not meet the needs of larger sections with more money and more sophisticated program ideas. Accordingly, the system will be changed. I pledge to have in place a system to generate regular reports to answer most of the questions SIS’s ask about their finances beginning with the new fiscal year in October. In the meantime, if you have suggestions about those reports I urge you to tell your Chair or Judy Meadows, incoming AALL treasurer and Janice Johnson, AALL Operations Manager.

Convention Locations. The simple answer is: several years ago members made the Executive Board feel like the members wanted to meet in expensive cities like San Francisco.

The planning process for conventions begins years in advance. Already plans are underway for 1998. Beginning with Seattle in 1994, conventions will be held in less expensive cities.

This year in San Francisco, the convention hotel offers lower rates for AALL than either ALA, SLA or ABA. ALA lists alternative hotels because they have a much larger staff than AALL to research and assemble that information. Of course AALL members can stay outside the convention hotel, many do.

I’m not sure when or why we stopped offering dormitories for convention housing. (They weren’t an option in 1983 or 1984 in Houston or San Diego.) I suspect we stopped offering dormitories as a housing option from lack of interest. Most members wanted to stay in hotels and not dormitories. If there is widespread interest in the dormi-
tory option again, we will explore including that for future conventions, including Boston in 1993.

To help defray the cost of attending the convention, the AALL grants program provides funds for members who might not otherwise be able to attend.

Again, thank you for creating a forum for discussing the proposed bylaw amendment. If you have additional questions or suggestions, please don’t hesitate to contact me or any other member of the Executive Board.

Sincerely,
Mark E. Estes
Vice-President/President Elect AALL

(While I think that a lot of what President Elect Estes says is just the "Party Line", I am both pleased and heartened that, unlike the Ahearn letter, this is a responsive and thoughtful reply. There may still be some justification for hoping that change is possible. Editor)

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SPRING 1992 DEPOSITORY LIBRARY COUNCIL MEETING

Submitted by Susan E. Tulis
University of Virginia Law Library

The Spring 1992 meeting of the Depository Library Council was held April 28th in the Carl Hayden Room, Government Printing Office. Public Printer Houk noted that this is the second meeting of the Council in its revitalized form. He felt the fall meeting was very productive and successful and looked forward to similar results from this meeting. Mr. Houk also commented on the success of the 1992 Federal Depository Conference. The popularity of this event exceeded GPO’s most optimistic expectations. All of the speakers at that conference emphasized the rapidly changing nature of depository library service in light of the new electronic media.

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Mr. Houk went on to highlight some items from the soon to be published 1991 GPO Annual Report. In 1991, GPO alone, distributed over 27 million copies of 57,700 titles to depository libraries. Added to that were 549,000 maps and 1.8 million DOE microfiche distributed under interagency agreements. Total distribution for 1991 was 29.6 million copies. Despite the increased workload, claims for items distributed in paper decreased by 6 1/2%, while claims for microfiche items decreased by over 18%. As a percentage of the overall copies distributed, the number of claims indicates that GPO had a 99.7% accuracy rate for depository distribution. In 1991, GPO distributed 18.9 million copies of 47,900 titles in microfiche, an increase over the 1990 figures of 16 million copies of 43,000 titles. In terms of electronic format, GPO distributed 118 CD’s in 1991 compared to 5 in 1990, as well as more than 50 floppy disks in 1991. Electronic formats are now a regular feature of the depository program, and are rapidly becoming as common as paper or microfiche. The key focus of the Spring 1992 Council meeting is to continue this progress and extend it to on-line electronic service format.

MEETING OUTLINES

Council decided to do detailed outlines for this meeting, as opposed to white papers which were done for the Fall meeting. The purpose of these outlines were to facilitate discussion of the issue of “GPO's Electronic Future”. Council's ultimate goal in advising GPO on ways to proceed in an electronic future is to get this information to the user public, not to just simply get this information into the libraries where it can be warehoused and stored.

Topic 1 - Structure of the Interface and its Implications. The highlights of this topic were: 1) means of distribution - through Internet, satellite transmission, bulletin board, etc.; 2) location of the data - gateway vs. central access; 3) software - database management, user access (value added); and 4) costs - to GPO, agencies, libraries, users.
PUBLIC PRINTER

Mr. Robert W. Houk, Public Printer, welcomed all of us on Wednesday and provided the opening remarks for the conference. It should be noted that over 430 participants attended this conference. Mr. Houk highlighted the "importance of the federal depository libraries in providing a mission both important and urgent, with partnership being a key word." The partnership being between the agencies, GPO and the libraries. Each library offers inspiration, innovation, even entertainment. The affirmative public service (or outreach) that libraries provide really comes down to marketing. Mr. Houk concluded his remarks by highlighting various aspects of GPO/2001: Vision for a New Millennium.

SUPERINTENDENT OF DOCUMENTS

Wayne Kelley, Superintendent of Documents, began by pointing out that we are entering a significant period where the private lives of public officials are being probed. Elected officials who vote on funding for our programs are under intense new pressure. We are now entering a time where even the most needed programs are not being funded. Mr. Kelley's goals for this year include: 1) eliminating the distribution backlog, 2) eliminating the cataloging backlog, 3) getting GPO connected to the Internet, 4) producing the pilot project report, 5) getting the Office of Electronic Information Dissemination Services off and running, and 6) drafting plans for a federal information directory. He restated his commitment to three basic principles for access to public information. These are that the government holds information paid for by the public in trust, the public should have access to that information and that the public should be able to purchase that information. He felt that GPO will have to go back to the basics to make sense of the rapid changes in information access and provision. Mr. Kelley also spoke of the lack of a cohesive federal

FIRST ANNUAL FEDERAL DEPOSITORY CONFERENCE

Submitted by Susan Tulis
University of Virginia Law Library

The first annual Federal Depository Conference took place April 6-10, 1992, at the Rosslyn Westpark Hotel in Arlington, Virginia. Monday featured the Regional Federal Depository Seminar. Tuesday, April 7, was devoted to tours of area libraries and National Legislative Day activities.
information policy and that GPO can't wait for the future. So GPO is exploring the applications of various technologies, determining agency needs, finding out how users use information and exploring private sector and not-for-profit sector involvement. He hopes that GPO will already be there when a comprehensive federal information policy does arrive.

Library Programs Service

Judy Russell, Director, Library Programs Service, discussed the need to work to improve public service - both to the agencies and to the people who use libraries. Acceptance and implementation of new products is important to the public service arena. She proposed a new goal for federally published electronic media, that it have "simple, intuitive, self-instructive software". The new Office of Electronic Information Dissemination Service will be working with agency customers to assist in producing and disseminating electronic formats. In addition to talking to agencies about how to package these new products, the office will offer an inexpensive mechanism for dissemination to users if the product is procured through GPO (the Depository Library Program). Russell stressed that "each new electronic product brings a new precedent, a new policy. We are having to look again at the old ways of doing things and reevaluate them. We must keep what is good, what works, what makes sense, and not be afraid to change what no longer works. We must challenge ourselves to meet not just the letter of the law with respect to public access and public service, but the true spirit of the program."

Information Technology Program

Jane Bartlett, Manager, Information Technology Program, discussed the provision of electronic information in more detail. She discussed GPO's goal of making electronic information acceptable, even preferable to paper and microforms.

 Depository Services Chief

Joseph McClane, Chief, Depository Services, discussed the implications of choosing electronic products on depository libraries and inspection expectations. He emphasized that just because libraries cannot currently provide access to an item they should not avoid selecting it. The inspectors will be giving libraries time to provide access to these products. Mr. McClane went on to note GPO expectations for access. The materials should be physically accessible with, at the least, a minimum workstation as suggested in Administrative Notes. Libraries need to provide documentation for materials and be able to do things like load the machine and provide some reference service. The new Federal Depository Library Manual, due out this summer, will have an extensive section on electronic materials.

Other Speakers

Peter Weiss, OMB, discussed the upcoming revision to OMB Circular A-130. During the afternoon session, the following individuals spoke. Gary Cornwell - outlined Depository Library Council's upcoming meeting and topics for discussion. Linda Kennedy, current GODORT Chair, welcomed everyone and encouraged all to take advantage of the networking opportunities, as well as the chance to get involved in GODORT. Even if you cannot attend the semi-annual meetings, one way to get involved is through the Adopt an Agency Program. Duncan Aldrich talked about policies and procedures for public service in an electronic environment. He sees dramatic changes ahead in public service with the need to develop public service policies or an outline of levels of service. His institution, University of Nevada, Reno, wrote a policy to define levels of service for each product they have gotten from GPO. Basically, they have identified 3 levels of service: 1) full reference service, 2) limited service, 3) minimal service. He is not happy with having these
levels and feels that depositories should be able to provide access to all these items. Duncan likened the arena now to a "tower of babble" - there are so many different interfaces that make it truly impossible to train library staff to be knowledgeable enough to train the users. Maureen Harris and Larry Romans - discussed how their institutions handled loading tapes. Both were NOTIS libraries but they had very different ways of dealing with the loading problems. Larry Romans discussed some of the big issues that need to be considered: are you going to integrate all of the documents into the main catalog or load as a separate database; are you going to load all documents, just those selected by your library or just the "important" documents; which vendor should you use; are you loading only current materials or retrospective too; how accurate are the tapes; should you check-in serials, or monographs, or both online; what do you do about documents received that are not yet on tapes and vice versa; do you load all the records at once or in stages; what are the costs; publicity requirements/needs; and how do you handle barcoding and circulation. Maureen Harris, Clemson University, talked about their rather unusual method of loading documents onto their NOTIS system. Because of vast changes in selection profiles in the last few years, it was impossible for them to truly profile for a tape load. What they have done is loaded a complete tape from MARCIVE onto a separate portion of their OPAC. They are now deriving records from that database and downloading them into the main OPAC. The database is available as a separate searchable database to the public as well.

Thursday was devoted to agency presentations and then breaking up into smaller groups to talk one-on-one with GPO staff and Council members.

Census Bureau

John Kavaliunas, Census Bureau, began the morning with a discussion of the "democratization of data" - not only do we now have access to all the cross-tabulations of data that patrons have been asking for, we also have access to a lot more data. He listed 5 things librarians should do to get a handle on the new media coming out: 1) change the way you view information - forget two dimensional and move into multidimensional and learn the new vocabulary, 2) read the manuals and technical documentation, 3) evaluate the needs of your patrons, figure out what kind of software you need, and determine your staff training needs, 4) define the level of service you are willing to provide, and 5) become familiar with the new technology.

The first CD-ROM of STF 3A will be out in May; press releases, which have been canceled for everyone but the press, are available on the electronic bulletin board; the 1992 Statistical Abstract of the United States is due out in August and will be available in a CD-ROM version, as well as paper. Due out in the next 2 months is a CD-ROM and tape product entitled USA Counties 1968-1990. This product will be page images, not data files.

Department of Commerce

Ken Rogers, Department of Commerce, talked about the family of information products they are producing - 1) National Trade Data Bank (NTDB), 2) National Economic, Social and Environmental Data Bank (NESE-DB), 3) Electronic Bulletin Board (EBB), and 4) EBB/FAX. The goals of their services are to be comprehensive, low-cost, easy-to-use, widely available, provide user support, and recover costs.

The prototype NESE-DB is to be shipped in late April, with quarterly production beginning in the fall of 1992. This CD will be a domestic U.S. information source, providing information from 16 contributing agencies and covering 37 information programs. The NESE-DB can be used to obtain a core set of information about the US - its society, the economy, the environment,
as well as obtaining facts on important issues - economic growth, education, health, environment, and criminal issues.

The EBB provides on-line, on-time, current economic news and information. It includes over 1,000 documents and is available twenty four hours a day, seven days a week.

A new service which is scheduled to begin May 1st is EBB/FAX. There is no sign-up or registration required. You can use your fax machine to make the call at a cost of 65 cents a minute. The service includes some of the files on EBB, but not all. The average press release will cost about $5-10. To access this service - dial 1-900-786-2329 (RUN-A-FAX).

In response to the question of whether we have to retain the NTDB CD’s, Mr. Rogers said we should retain 1 years worth, plus the March disk, since it contains the 25-50 year summaries. Also, it should be noted that the Harmonized Tariff Schedule is at the end of the Merchandise Trade files on NTDB.

Other speakers that day were Dr. Calvin A. Kent, Energy Information Administration; Wendy Hassibe, USGS; Alma Mather, Exchange & Gifts Division, LC.

The remainder of the afternoon was broken into small group information exchange sessions. Without going into the details of who was running which session, I will highlight some of the information obtained during these sessions. LPS is still working on identifying the microfiche shipping lists that were never issued. Microfiche claims have not been filled since January due to a shortage of personnel (one claims person from July to December), so there is a backlog of 33,000 claims. Personnel has been added so they have started processing microfiche claims again. The reason you have packages of microfiche waiting for shipping lists is that GPO does not send the shipping lists until the distributor notifies them that the last package has been mailed. The microfiche distribution backlog is targeted to be completed by years end. Due to the concentration of effort on the microfiche backlog, there is a paper backlog of 2,200 titles, to be dealt with soon. GPO is moving towards connecting to the Internet, but they will be using the Internet to get information, not to disseminate information. They will still use the GPO Bulletin Board as their primary means to disseminate information. Some agencies have spoken to GPO about converting their loose-leaf products to CD-ROM. There is some concern that if the agencies do this, there will be a decrease in the GPO sales revenue. There was a fair amount of discussion of the problem encountered when trying to search and retrieve GPO serial records for titles when the SuDoc’s classification number assigned to a serial title is not unique. This is also a problem for GPO serial catalogers. GPO staff will be meeting with Acquisitions/Classification staff to discuss the current policies for classifying serials and report policy decisions in upcoming issues of Administrative Notes. In response to the need for a unique number other than the SuDoc class number to match publications on the shipping list with cataloging records received from various vendors, GPO staff are looking at ACSIS to perhaps provide some field data that could be used for this purpose. GPO staff reminded the participants that the SuDoc's class number was never intended to be used in as many of the ways that libraries now use them.

Public Service Survey

The first session on Friday morning was conducted by Dr. Thomas Childers of Drexel University. The session was on “Effective Public Service” and based on a national survey conducted by Dr. Childers on patron and librarian’s perception of what makes good public service. The session was entertaining, yet very general in nature. The key point is that evaluation of a public service should involve some observation by an individual outside the organization if not the profession. Individuals tend to treat li-
library effectiveness surveys with partiality (libraries and librarians are the beneficiary of a halo effect) in their response.

Wrapping Up

Dr. Childers was followed by Sheldon Fisher, Director, Technology Resources Center, US Department of Education. Mr. Fisher discussed the technology of the compact disc and upcoming changes in the medium, including more interactive discs that include sight and sound.

Dr. Fisher was followed by a wrap up session led by Joe McClane and Judy Russell. The wrap up consisted of audience response to several questions. Responses on what time of year were scattered between March, April, and May; that National Library Week or Legislative Day had very little bearing on attendance. The letter from the Superintendent of Documents to the Library Director was influential in being allowed to attend.

Comments from the floor included several complaints that council was not officially in attendance and that the Federal Depository Conference should include a session with the Depository Library Council. Other suggestions included more opportunities to attend other sessions.

The question was put out by Judy as to whether concurrent sessions would be worthwhile or the possibly of extending the sessions into Friday afternoon, using Tuesday, and whether there was interest in having more agencies present in separate rooms at booths. All met with high levels of enthusiasm.

(Thanks go to Sally Holterhoff, Walter Newsome, Cindi Wolff, Anne Miller, Laurie Hall, and William Sudduth for their contributions to this report.)

OMB CIRCULAR A-130
REVISION — POLICY ISSUES AND THEIR IMPLICATIONS

Submitted by Susan Tulis
University of Virginia Law Library

June 10, 1992

Charles R. McClure, Professor at Syracuse University and Dr. J. Timothy Sprehe of Sprehe Information Management Associates hosted this one-day forum for senior-level IRM leaders in the federal government. Comments generated from this meeting will be formulated into a document to be forwarded to OMB before the end of the comment period. Mr. McClure began by stating that although we have a "kinder and more gentler A-130... it is a policy statement for managing federal information resources of the past, not the future." He also argues that it completely ignores the evolving national information network (NREN, Internet, etc.) and ignores imperatives of the High Performance Computing Act.

History of A-130

Tim Sprehe set the scene for A-130. When the Reagan administration took over, they did some crazy things in the information arena. Remember, PRA was passed in the last days of the Carter administration. The way OMB went about carrying out the PRA was to stress paperwork reduction and that is the way information policy became defined during the 1980's. It still carries that character to a large extent today. In 1983, GAO evaluated how OMB was carrying out the PRA. One criticism was that the Act had given to the Director of OMB general information policy authority and the Director had not done it. This resulted in OMB beginning work on Circular A-130. Early in his administration, President Reagan issued a moratorium on all new government publications. OMB issued OMB Bulletin NO. 81-16, Elimination of Wasteful Periodicals and Pamphlets. The bulletin directed agen-
cies to stop all new publications, complete and forward to OMB an inventory of all their publications, and present plans for reducing their publications in the future. At the same time, the National Security Council and the Defense Dept. began censoring the contents of scientific papers intended for presentation before scientific societies. The 1983 Omnibus Budget Reconciliation Act dictated across-the-board reductions in federal agency expenditures for various items, including travel, consultants, and libraries. OMB began an aggressive campaign to contract out federal libraries under OMB Circular A-76. The resulting pattern emerging in the Reagan administration was that distribution of information to the public was a negative thing, don’t do it if you can avoid doing it. It was into this atmosphere that OMB released the original draft of A-130. It didn’t dawn on OMB that these other activities had anything to do with the release of Circular A-130. But the public linked all these activities together! Original A-130 gave good grounds for alarm - it had a very negative and narrow attitude towards information dissemination. A-130 said to disseminate only that information that was essential to the agency mission.

Today’s Policies

Contrast that to where we stand today. The intervening years have witnessed major new developments in federal agency information dissemination activities and programs: we have CD-ROMS, bulletin boards, optical publishing taking place. SEC’s EDGAR system, EPA’s Toxic Release Inventory, Agriculture’s CID System, etc.

We may need to ask if the agencies and their activities have already moved beyond A-130. Perhaps the issuance of A-130 is a non-event. Maybe it resolves old problems but maybe it doesn’t address the problems of today. One of the questions facing agencies today is devising policy for direct public online access to their databases in their computers. A-130 doesn’t deal with some of these questions. Perhaps it is now at a level of generality that is benign and is in effect a kind of intellectual placebo.

OMB’s Position

Peter Weiss, OMB, outlined OMB’s road map for their plans in revising Circular. He gave the same talk that he gave at the Federal Depository Conference. It is being revised in 2 phases - information policy first, information technology second. We need to recognize that information has utility and plays a central role in what we do. We also have to realize that as there is no free lunch, there is no free information. Very easily said, but the implications are not so easily dealt with. OMB is trying to stress positive tones, stressing the dos, not the don’ts. OMB sees this document as policy guidance document, not a set plan for carrying out the principles articulated here. It is up to each agency to develop its own plan.

Panel Discussion

Following these presentations was a panel discussion on reactions to A-130 revision.

Chief Counsel Subcommittee on Government Information, Justice, and Agriculture

Bob Gellman, Chief Counsel Subcommittee on Government Information, Justice, and Agriculture, began the discussion. His overall view of the Circular is that it is a great disappointment. The biggest problem with the old Circular was the deference to the private sector. The revised Circular does cure some of the problems of the old Circular and in general, he would characterize the Circular as falling very broadly within the electronic information policy consensus that has developed since the mid 1980’s. The policy consensus that has developed:

- there should be no monopolies with respect to government information.
- there should be no restrictions on reuse and no royalties charged.
- there should be no free revenues generated through the sale of information products and services.
- there is a clear recognition among most people of the balance needed between an agency missions, the public's need for information, and the rights and responsibilities of the role of the private sector.
All of these issues have a political, fiscal, policy dimension to them, and different people will characterize each of these in different ways. In general this is a very middle of the road document, doesn’t solve any problems. That may not be bad. It is a reflection of where we are today.

His quibbles with the document include: the Circular exempts the Executive Office of President from FOIA (Gellman is not sure how this can be done); needs a stronger foundation for an information locator system; inadequate dealing of the cost issue - doesn’t tell you what you need to know, needs to be more specific on what cost should be excluded; fails to address pricing service; rejects the product/services distinction that has been commonly used in the past discussions, but he will accept this begrudgingly. The problem comes in if an agency can’t recover their costs from somewhere, they may decide not to provide that service, which may be to everyone’s detriment.

His general conclusion is that while it is much better than it was, the old Circular was irrelevant to agency conduct. There are two reasons why the new Circular isn’t any better - it has too many weasel words in it and there is no enforcement mechanism in it. Final word is that the new Circular has nothing new in it, may prove to be largely irrelevant, but it is better organized.

Environmental Protection Agency
Alvin Pesachowitz, EPA, agrees that the new Circular may be helpful to those agencies who want to be more proactive. A-130’s emphasis on an obligation to provide information to the public is a key to EPA’s being able to get to the ultimate constituent and have them help EPA make some of the decisions. Circular doesn’t provide specifics as to how you implement an A-130 program and it will force each agency to make its own plan which will vary from agency to agency. Circular deals better with records management. Circular hasn’t answered any of the specific questions related to costs, but it does mention cost recovery of marginal costs of dissemination. Overall, the Circular does leave agency with some areas that will be major issues:

- equitable use of access
- efficient use of taxpayers money in the development of systems to provide public access
- how do we recover costs
- issue of security as you open up more and more online systems to public access
- inventories - we clearly need indexes to know what is in what collection

One of the positive aspects of providing better public access as required by A-130 is that it will cut down on FOIA requests.

Department of Veteran Affairs
Michael Herway, Department of Veteran Affairs (VA), never thought he would be a champion of A-130, but will be today. The VA badly needs this Circular; it provides a blueprint for them for doing future business. The VA has not been a leader in technology - various areas within the VA do not talk/work together. A-130 gives them good support for strategic planning. Meaningful oversight is missing from the Circular. Information sharing /dissemination is much needed. Important to get the information to the state and local governments. Training is mentioned in the Circular - much needed aspect of the process.

NARA
Charles Dollar, NARA, feels that there are both good and bad points of the Circular. The good points include:
- more focus on IRM than procurement
- strategic planning is important function of the Circular
- acknowledges the life cycle concept, but the way it was introduced was done very poorly
- records management - needs sound records management to have sound IRM

The bad points as Mr. Dollar sees them:
- reflects sloppy thinking, concepts are not laid out clearly. Maybe that was done intentionally. The definition of information should take into account some of the very good work being done in the academic arena. The definition of IRM doesn’t link it to agency mission, or corporate memory.
-need to be better connections between information, IRM, records management and archives.

Questions and Comments

Should the Circular be general guidelines or give more specific directions? The circular is not going to solve everyone's problems; as with legislation, you draw a box and tell people not to go outside the box. Some concern that the Circular could have provided a few more specifics. The individual who asked the question would like to have seen a few more specifics and definitions.

How do you delineate between IRM and Records Management? In Canada, records management is a subsystem of IRM, with IRM dealing with recorded information.

Should there be compliance and how will it be enforced? Many thought that OMB should propose an enforcement mechanism in A-130, but most did not want OMB be the one to handle this enforcement mechanism. Some felt that OMB could do this enforcing already through the budget process, but doesn't seem to be doing it. If customers would speak favorable of those agencies that are making a proactive effort to share their information, then the funding process might be affected.

Enforcement mechanism may come from the users or if you step on someone's toes. Either way, you need teeth in the Circular to get senior management to pay attention to the Circular. GSA already has some enforcement mechanism - the threat of pulling the agencies' ADP.

There are some very large tangible costs associated with electronic information, and while the Circular addressed marginal costs, there is nothing said about whether agencies can use the revenues recovered from user charges to offset the higher costs of electronic dissemination. The problem with letting agencies keep the revenues generated is that more and more costs will fall under the definition of dissemination costs. And there will be no incentives to continually improve the systems.

Summary of Key Issues

Summary of Key Issues Identified in the Panel Discussion

1. Compliance and oversight - about half felt there should be more in the Circular. Possible candidates - IG in the agency, senior IRM officials, OMB. But bottom line is that without compliance, the document becomes irrelevant and the agencies can do what they want to.

2. There is a disconnect between some of the existing policy statements at the agency level and some of the policy statements that are within A-130.

3. Role of depository libraries and electronic information.

4. The Circular is a statement of where we are today, not a statement of where we need to be tomorrow. There are new developments on the horizons that agencies need to be aware of in their planning. (For example, NREN.) Discussion of a government wide information locator system may become a moot point with Internet, NREN and WAIS.

5. Concern that we do not know what OMB means by an "inventory of all agency information products". What standards should the inventory follow, is it to be made available over the Internet, etc?

Comment was made that the Internet is one solution to some problems. The law says we are to do this, but what is to force agencies to comply? Also, no automated locator system is going to solve everyone's information needs.

Luncheon Speaker - Henry H. Perritt, Jr., Villanova University

Circular reflects a consensus which may make it a bit backward looking in some ways, but it also makes it self enforcing. If an agency wants to innovate, they may receive resistance from the Congress, but then they can use A-130 to move ahead.

How close are the A-130 dissemination policy guidelines to recommendations developed by ACUS and the ABA? Very close, differences are a matter of style and degree, rather than substance.

How close are the strategic records management guidelines to recommendations developed by ACUS and to practices
being developed by NARA? There are 2 points in the area of archives and records management worthy of further consideration. First, in designing a records management system there is a war between formality and reality. What records management guidelines say and what actually happens in the office of the secretary is quite different. Technology is not going to abolish that tension.

Working level analysts can decide not to release a copy of a draft working document that is on the hard disk or the whole document can be deleted. But technology can harmonize the tension between private autonomy and the public need to preserve the institutional history. Second, greatest threat to archival function is technological obsolescence. Question of format standards is the key to this obsolescence. Format standards will also impact on the dissemination function.

Electronic rule making and adjudication - there is the technology now for people to participate electronically in commonplace federal government activities. But more experimentation is needed to understand how system should be designed and publicized so that those who do want to participate in this way are aware that they can.

**Dissemination**

1) Technology represents a way for agencies to get out of FOIA search and copying activities. A system needs to be designed so that information is easily available to the public.

2) This system should be designed to do a variety of things with respect to public access - such as: to permit electronic bulletin board access, to permit access via the Internet, to permit some kind of access to GPO, and to permit the transfer of certain kinds of information to private sector redisseminators.

3) We need to think more creatively about certain architectures and roles in the pluralistic dissemination system.

4) We should realize that the technology permits, for the first time, different types of information value to be disaggregated and therefore makes it possible for people to produce and market and deliver different types of value. This disaggregation opens up new possibilities for how people price and how they get paid for labors in generating information values. There are many intellectual property issues associated with this.

**His Conclusions:**

1) Be more aggressive in experimenting with standards as ways of easing the technology obsolescence problem with the archives and also as ways of furthering this kind of robust diversity of information sources and channels.

2) Be more creative and explicit about the architectures and the specific roles in the pluralistic dissemination climate.

3) Recognize that the technology does permit the disaggregation of the production and marketing of different types of information value which can ease some of the pressure on intellectual property and some of the public/private competitive issues that have bedeviled us in the past.

**Issues Raised During Break-out Sessions**

1) define key terms better; clarify the players
2) aspect of electronic access and the depository libraries
3) do market surveys to determine the nontechnological users needs
4) standardize locator terms
5) develop interconnectivity standards
6) more guidance in cost recovery
7) fees collected for information products should stay in agency
8) clarify roles and responsibilities of some of the key players in IRM
9) standards - what are they, where are they, who's doing them. Keep language in standards simple.
10) training and education needs to be addressed - what is the whole impact on people.
11) how do you ensure agency data is complete, accurate, and current
12) the need for a human being at the end of the electronic network to assist users
13) identification of existing standards (like A-130)
14) define what is a dissemination cost

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15) make agency heads more responsible for A-130 compliance.
16) resolve definition conflict between standards (A-130, FIRMA, NARA)
17) Brooks Act, FAR
18) mission distortion - if we place all this emphasis on information dissemination, how are the agencies going to do their real job
19) cost vs. price (how do you figure the infrastructure overhead?)
20) who pays for NREN?
21) match A-130 guidance with the “business” plan of the agency
22) all agencies have a dissemination role
23) add note to use NREN
24) spell out GPO’s (and others) role in information production and sales
25) A-3, A-114, A-130 need to be better integrated
26) spell out both electronic and paper records management
27) role of contractors vis a vis copyright, intellectual property, costing and access.

Summary and Wrap-Up

Why did it take OMB close to 18 months to release A-130? Debate going on within OMB - new A-130 is telling agencies that dissemination is important, spend money on it. But this is not a time when we want to tell agencies to go out and spend money and tell agencies to take on a lot of new functions. Debate continued with user charges - tells agencies to collect very little. OIRA was afraid to show the Circular to the budget side of OMB because of this.

User charges - state and local governments are selling their information and are diametrically opposed to what the federal government is doing. Federal philosophy is marginal costs. What do we do with the money that comes back from user charges? Goes back to general treasury. What incentive does an agency have to collect user charges if they don’t get back that money? Problem is that we then only do those programs that make a profit; we are basically in a profit and loss scenario and we are no longer conducting programs because of the public policy goals.

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AALL & S. 2748

Submitted by Robert L. Oakley
Washington Affairs Representative
American Association of Law Libraries
Georgetown University Law Library

STATEMENT ON BEHALF OF AALL BEFORE THE COMMITTEE ON RULES & ADMINISTRATION OF THE U.S. SENATE ON S. 2748; THE LIBRARY OF CONGRESS FUND ACT OF 1992

This statement is submitted on behalf of the American Association of Law Libraries concerning S. 2748, a bill to provide authority for the Library of Congress to provide fee based research and information services. The American Association of Law Libraries is a non-profit organization with nearly 5,000 members representing academic law libraries, private law libraries in law firms and corporations, state court and county law libraries, and law libraries in the public sector.

AALL certainly recognizes that the Library of Congress has a legitimate need to update its statutory authority for current and future activities. To meet that need, AALL has worked closely with the Library and other library organizations in the development of this legislation. AALL appreciates the fact that the Library has been willing to listen to its views. Nonetheless, the American Association of Law Libraries still has concerns that have not been resolved. As a result, AALL cannot support S. 2748 in its current form. We have three specific concerns with the bill as well as a more general philosophical concern.

Core Library Services

First, the definition of core services in the bill is unnecessarily restrictive. One of the concerns AALL has had since this legislation was first proposed is a concern that the library not define its basic service program for the future based on today’s ser-
vices and technology. In an effort to create a flexible environment for the development of new services, AALL proposed draft language that core services include those services "customarily provided" free by the nation's libraries. To emphasize that this standard was a fluid one reflecting the state of the library art, the draft language, which was originally accepted by the Library, indicated that such products and services would include, but not be limited to, certain traditional library functions. Regrettably, in the version of the bill now before the Committee, the phrase but not limited to has been struck out. As a result, the bill freezes the definition of core library services at a time when the nature of library services is changing rapidly as a result of computers and networking technology.

The omission means that as new, essential library services develop, they may not be included in the core services provided free, but may well be subject to substantial fees. Not included in the list of core services, for example, is searching the Library's databases. It could be, therefore, that the library will seek to recover the cost of developing and maintaining its public databases by charging fees to both on-site and off-site users. It strains the definition of a public access library to think that one might have to pay simply to look up a book or article in the collection. AALL does not believe that this result was intended by the library. We urge, therefore, a return to a more flexible definition of core services with the more expansive language originally proposed.

Electronic Access to the Collections

Second, as new electronic sources of information become available, it will be important for the Library to integrate them into its mainstream operation and not to presume to charge for their use. But, very late in the discussions we had with the Library, a new section was added to the proposal in what is now Section 101 (4) (B) (xi): "Electronic Access to the Contents of the Collections." This section would permit the library to charge full cost recovery for customized services that provide electronic access to the contents of the collections. When this sec-

tion was added, the library community became concerned that it opened the door for widespread charging for a range of new information products. As these electronic products begin to displace more traditional paper products, what was once provided free by the Library will be subject to full cost recovery charges.

While it may be argued that such access is not "customized", it has been argued elsewhere that the results of any individual search of a database creates a custom product, tailored to the needs of the individual, for which full cost recovery is appropriate. Moreover, even the Library has argued that it should charge full cost recovery for subsets of its databases sold to libraries. As a consequence of these considerations, the section of the bill that permits full cost recovery for electronic access to the contents of the collections has become troublesome. We believe it should be deleted.

Collection of Royalties for Redistribution of Information

Third, Section 302 (c) (1) states that the act does not permit the Library of Congress to impose redistribution fees on domestic end users of national library products and services. However, by implication, this section permits the Library of Congress to impose redistribution fees on domestic end users of other products and services, especially customized products and services. If such fees were imposed, it would permit the Library of Congress to recover downstream royalty charges from a database sold to another library for redistribution. AALL believes that a government agency should not restrict in any way the delivery or redeelivery of government information. The imposition of a downstream royalty would create restrictions and limitations on the redistribution of the information that bear no relationship to the cost to the government and can only be seen as a information tax. We believe that section 302 of this bill must be amended to prevent the library of Congress from charging redistribution fees or establishing licensing mechanisms for any of the products and services covered by the bill.
The Role of Publicly Funded Libraries in the U.S.

Finally, AALL has a more general concern. As already noted, this bill would fix the definition of core library services, and would potentially allow the library to charge for anything beyond the core.

This approach to library service would represent a major change in the philosophy of service in publicly funded libraries in the United States. Pressure to fund services to support libraries today is such that one can easily envision the gradual shrinking of today's core services in preference to the development of more specialized services that generate revenue. Some core service may wither away completely. Newly developing services could become a new core but they may never reach that level because they will have to be supported by fees.

All in all, one can see in this bill a future where many, if not most, library services will have to support themselves with fees. Those who are affluent, such as businesses, law firms, or others who can afford to pay, will be able to utilize the facilities of the library. Those who are not - the ordinary citizen, the disadvantaged, the elderly - will be relegated to using an ever decreasing range of "core service".

In the past, the public library as an institution has been a force for democratization by making its intellectual resources available to anyone who cared to inquire. If this bill, with its provision for open ended fees for services succeeds, the role of the library as a democratizing influence will be short lived.

The American Association of Law Libraries has worked closely with the Library of Congress to try to fashion a bill which we could accept. While there have been many improvements to the language, the concerns identified in this letter remain. We appreciate the opportunities we have had to work with the Library, and we would like to be able to continue to work with this Committee and the Library of Congress to achieve further improvements to deal with these concerns.

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GD/SIS OFFICERS & JURISDOCS STAFF

CHAIRPERSON
Susan Dow
State University of New York at Buffalo, Amherst Campus
Charles B. Sears Law Library
John Lord O'Brian Hall
Buffalo, New York 14260
Phone (716) 636-2347
Fax (716) 636-3860

VICE CHAIR/CHAIR ELECT
Marsha Baum
University of South Carolina Law Library
Main & Greene Sts.
Columbia, South Carolina 29208
Phone (803) 777-5944
Fax (803) 777-9405

SECRETARY/ TREASURER
Carol Moody
St. Louis University Law Library
3700 Lindell Blvd.
St. Louis, Missouri 63108
Phone (314) 658-2756
Fax (314) 658-3966

JURISDOCS BUSINESS MANAGER
Keith Buckley
Indiana University School of Law Library
Bloomington, Indiana 47405
Phone (812) 855-9666
Fax (812) 855-7099

JURISDOCS EDITOR
David Batista
Rutgers State University-Camden
School of Law Library
5th & Penn Sts.
Camden, New Jersey 08102
Phone (609) 757-6469
Fax (609) 757-6488

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Please return to: Marsha Baum, University of South Carolina Law Library, Main & Greene Sts., Columbia, South Carolina 29208; (803) 777-5944 (Ofc.), (803) 777-9405 (Fax).