

JURISDOCS

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Government Documents
Special Interest Section

Letter from the Chair

by W. David Gay

Young Law Library, Leflar Law Center
University of Arkansas

Kay Schlueter, the past chair of the SIS, stressed in the final business meeting last year that the SIS is "only as good as the efforts its members contribute." We only get out of this organization what we put in! So, volunteer to do something for the SIS! My 2 years have flown by. Thanks to Kay Schlueter, last year's chair, for her able assistance, support, and guidance.

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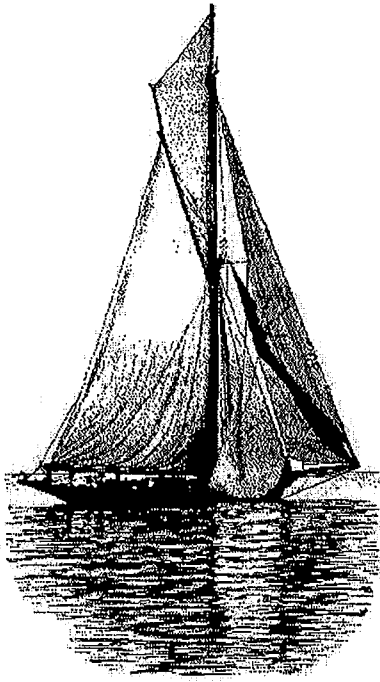
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Officers for next year: Paul Arrigo, our Vice Chair/Chair-elect, takes over the gavel at the 2nd business meeting of the SIS bright and early on Tuesday morning in Baltimore. We will provide the incentive of breakfast courtesy of the SIS as well as new state bibliographies for those hearty souls willing to venture out at 7:00 a.m. Thank you to Sharon Bradley and Charlene Cain for standing for election as the new Vice Chair/Chair-elect. Congratulations to Charlene who was elected as the new Vice-Chair. (Another thanks to Kay Schlueter who served as the nominations committee and handled the election—remember Paul, when someone offers to help you, surprise them and take them up on it!). Melanie Putnam will continue to server as Secretary/Treasurer; Keith Buckley continues in his role as *Jurisdocs* Business Manager; Mon Yin Lung continues as *Jurisdocs* Production Manager; and Sharon Blackburn continues as *Jurisdocs* editor. Thanks also go to Emily Carr for her work on our Web page and to Marianne Mason for maintaining our e-mail distribution list.

The SIS awarded 2 travel grants this past year. Dee Wood, of the University of Kentucky Law Library, and Jacquelyn Kasper, of the University of Arizona Law Library, attended the Interagency seminar May 27th - June 4th. Elsewhere in this issue of *Jurisdocs* is a brief report of that conference. Thanks to Carol Moody who coordinated the travel grant awards. While on the topic of travel, several SIS members attended the Federal Depository Library Council meeting in Washington this past April. During that conference, Susan Tulis received the United States Government Printing Office Exemplary Public Service Award from Public Printer Michael DiMario. Congratulations to Susan! (*See photograph and text on p.9 inside—ed*)

(cont p 2)

(Letter from the Chair, cont.)



Baltimore this summer: Paul Arrigo has coordinated some excellent programming for the SIS this summer at the annual meeting in Baltimore. Elsewhere in this issue is a description of programs we are sponsoring. The first business meeting will be jam-packed with programming; the second business meeting will include a full agenda of items for discussion and a SIS supported breakfast. Besides our meetings, I encourage everyone to attend the Government Relations Committee annual Legislative and Regulatory Update to catch up with all the hard work of the AALL Washington Affairs Office as well as to hear an update from Eric Peterson's perspective on Title 44 legislation. Finally, one of the most important sessions concerning government information and the future of the Federal Depository Program will be the Title 44 "Sea Change" program. This program is cosponsored by our SIS, by the Government Relations Committee, and by the Washington Affairs Office. Thanks to Paul Arrigo, Kay Schleuter, Carol Moody, and Sharon Blackburn for your help this year ☺

From the Editor

Sharon Blackburn
Texas Tech University
School of Law Library

Deadline for submissions for next issue: **September 12, 1997.**

Welcome to the third issue this year. As you can see, SIS plans for Baltimore are moving right ahead. Check out the columns by Paul Arrigo for more information. Get the scoop on government information policy from Mary Alice Baish. We have a wonderful summary of what transpired at the Spring DLC and Library Conference meeting by Donna Larson-Bennett (who discovered how dangerous it is to sit next to an editor looking for an article writer!) Our grant recipients have contributed their takes on the Interagency Depository Seminar, and once again Chris Anglim deftly covers preservation issues for documents librarians. Thanks to all the contributors for *Jurisdocs* this year (and be careful who you sit next to at AALL, Baltimore!) ☺

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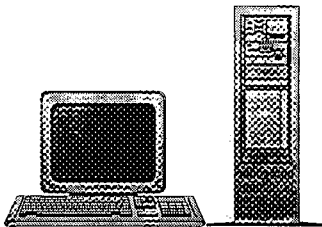
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Letter from the Vice Chair/Chair Elect by Paul Arrigo

Washburn University of Topeka
School of Law Library

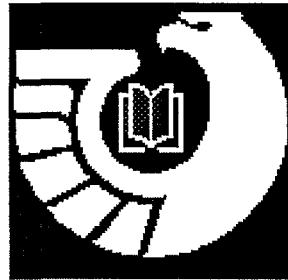
I am excited to be the new Chair of GOVDOC SIS for the 97/98 term. There are many changes occurring, including changes in title 44 concerning electronic information and the transition of government publications from paper/microfiche formats to electronic formats, along with the bibliographic control problems resulting from this transition and the impact these changes will have on depository libraries. It is truly an exciting and challenging time, and I believe that GOVDOC SIS can address some of these issues during the next year.

GOVDOC SIS has been very successful in creating practical solutions to significant problems. The State Bibliography series was created to fill a need for access to state legal resources. Perhaps an electronic web site for State Internet and CD-ROM resources could be created. I am sure there are several more projects that GOVDOC SIS can tackle to help alleviate the load upon law library depository libraries. As a minimal goal, I would like to make it possible to order the State bibliographies on the Internet from the GOVDOC SIS homepage.



I would like to see the GOVDOC SIS homepage blossom into a greater resource. It could be a place where SIS members could come to find membership/directory information, information about the

section, as well as prominent links to the AALL Legislative Affairs Office and to the ALA Legislative Affairs Office. I would also like to use the homepage to load minutes from the annual business meeting and other business-related information. We could also have a form where people could write in their favorite federal document gateway homepage. The results could then be tabulated and an html page created of the 10 to 20 best sites for accessing federal government information.



Tracking the transition of government documents from paper to electronic format is a very daunting task. GPO is doing a good job of tracking migrating titles but they can not do it alone. GOVDOC SIS members could volunteer to analyze one agency's homepage and report

to GPO when any new titles have been loaded onto the Web site. This should not be too difficult since many homepages have web pages dedicated exclusively to newly added web connections. If you are interested in the migration from paper/microfiche to electronic formats I strongly recommend that you attend the program sponsored by GOVDOC SIS on that topic. It is entitled "Locating Government Document Titles on the Internet: Tracking the Migration from Traditional Paper to the New Electronic Format" (D-6) from 10:45 a.m. - 12:15 p.m., Tuesday, July 22, 1997.

There are many new and exciting events taking place in the depository community that will have a great impact on every law library. GOVDOC SIS members can either stand back and let events pass us by or we can be pro-active and make new and exciting contributions. I am open to any new ideas that will help address the issues above. Feel free to contact me at zzarri@acc.wuacc.edu. It is never too late to add your idea to the agenda. I look forward to seeing you at the Annual Meeting in Baltimore! ☆

☆☆☆☆

The editor wishes to thank Prof. Wes Cochran and the Texas Tech Law Library for the generous donation in producing this issue of *Jurisdocs*.

GOVDOC SIS Programs and Business Meetings for the AALL Annual Meeting in Baltimore

by Paul Arrigo

GOVDOC SIS Vice-Chair/Chair Elect
Washburn University of Topeka
School of Law Library

Three Programs in Baltimore

This year GOVDOC SIS will be sponsoring three very interesting programs at 1997 Annual Meeting in Baltimore. The first one is entitled "Covering the Waterfront on Statistics" coordinated by Carol Moody. Juri Stratford, from the University of California, has co-authored "Major U.S. Statistical Series." He will discuss issues regarding the validity and authority of statistical series. Richard Wehmhoefer of the Colorado Supreme Court and author of "Statistics in Litigation" will demonstrate how statistics are used in litigation and how a court recognizes the validity of electronic information. This program is scheduled for D-5 Tuesday, July 22, 1997, from 10:45 a.m. - 12:15 p.m.

The second program, "Locating Government Document Titles on the Internet: Tracking the Migration from Traditional Paper to the New Electronic Format," is coordinated by Emily Carr. Unfortunately this program is scheduled at the same time as the one above, Tuesday, July 22, 1997, from 10:45 a.m. - 12:15 p.m. This program will highlight the efforts being made by several agencies to keep track of the increasing migration from paper to electronic format. Eliot Christian, from the U.S.G.S., one of the innovators of the Government Information Locator System (GILS), will explain how GILS can help track government document titles. Robin Haun-Mohamed, from GPO, will demonstrate how GPO's pathfinder site can also be used to track document titles. Finally, Fynnette Eaton from the National Archives will describe efforts to preserve this information. It looks to be a very informative program.

GOVDOC SIS was also very fortunate to cosponsor a program on Title 44 with the Government Relations Committee. A description of this program follows:

The GPO was established in 1860 within the Executive Branch to centralize the printing needs of Congress and the Executive and Judicial branches. 35 years later GPO was moved into the Legislative branch where it

remains today, along with the Federal Depository Library Program. Congress and the Executive branch are now questioning the need for this centralized model and a significant revision to Title 44 is likely. All law librarians concerned about access and preservation of government information must be knowledgeable and aware of the effects of these changes.

GOVDOC SIS Business Meetings

In the past the Government Relations Committee and GOVDOC SIS held their business meetings at the same time. This created frustration for both groups who wanted to attend each others meetings. This year David Gay was able to influence the Education Committee so that the Government Relations Committee and the GOVDOC SIS business meetings would not overlap. This should help improve communications between these two bodies. I encourage you to attend the GRC meeting if at all possible.

The meeting scheduled for **Sunday 4:30 - 6:00 p.m.** will feature guest speakers from several different agencies. Sheila McGarr will speak on the current status of the Depository Library Program. Terry Barns from GPO will speak about GPO access and its applicability to law libraries. Finally Beth Davis Brown, from the Library of Congress, will give a demonstration of their digitization project. The Library of Congress is currently digitizing the Annals of Congress. This looks like it will be a very exciting business meeting.

The Official business meeting will be held bright and early **Tuesday morning from 7:00 - 8:00 a.m.** We will have some muffins and coffee for that morning. Come ready to contribute some new ideas. If you would like to have something added to the agenda please send me an email message at zzarri@acc.wuacc.edu. Look for the initial agenda to be posted on the govdocsis-l listserv in the next couple of weeks. I look forward to seeing you all there in Baltimore ☺

D.C. Insider

by **Mary Alice Baish**

AALL's Assistant Washington Affairs
Representative

Big Stuff in Baltimore

Must-see programs in Baltimore:

★ "Legislative and Regulatory Update," Program E-5, scheduled for Tuesday, July 22, 2:00 to 3:30 p.m. Eric Peterson, Staff Director of the Joint Committee on Printing and a mover and shaker behind the JCP draft bill (see below), will deliver the keynote address. Bob Oakley and I will also be presenting our annual updates at this GRC event.

★ "A Sea Change in Access to Federal Government Information: Revising Title 44 and the Role of the Government Printing Office," Wednesday, July 23, 1:30 to 3:00 p.m. Looking at proposed revisions to Title 44 and how those revisions will affect their respective agencies will be speakers from the Government Printing Office, National Archives and Records Administration, Administrative Office of U.S. Courts, and Office of Management and Budget.

★ Also mark a reserved spot on your calendar for the Chapter Alliance Washington Affairs Office 2nd annual meeting, 5:15 to 6:45 p.m., Tuesday, July 22. I encourage anyone to attend who wants to develop communication with their federal, state, or local representatives and/or keep the Washington Office informed of state developments. One person from each AALL Chapter's Government Relations Committee has been invited to attend. We need your help—please come!

Washington Headlines

JCP Draft Bill Undergoes Scrutiny

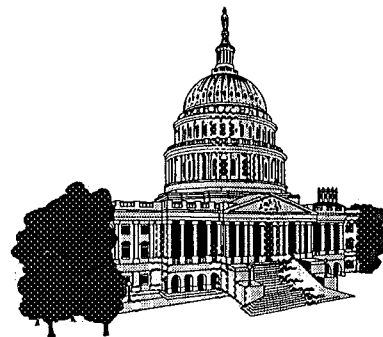
Unveiled in April, the draft bill to revise Title 44 was the subject of hearings before the Senate Rules Committee, chaired by Sen. John Warner (R-VA) on April 24, May 8, and May 22. Much discussion focused on the bill's attempt to solve the constitutional issue of separation of powers since executive agencies often cite that as a reason for non-compliance with the provisions of Title 44.

The draft bill proposes to:

- ★ transfer the remedial powers of the JCP to the Public Printer;
- ★ empower the Public Printer to promulgate regulations; and
- ★ move the GPO into the executive branch as an independent regulatory agency.

Opposition to this last provision by AALL and other library groups, along with a recent opinion from the American Law Division of the Library of Congress that simply removing the JCP's remedial authority solves the separation of powers problem, has probably nixed the move. In fact, Ranking minority Sen. Wendell Ford (D-KY) said that the notion of moving GPO into the executive branch "would be like putting the fox into the hen house."

On the non-compliance front, Senators Warner and Ford probed representatives of OMB, DOD, and the Dept. of Commerce (NTIS) about the large number of agency publications missing from the FDLP. John Carlin, Archivist of the U.S., voiced concern that the draft bill would allow GPO to encroach on NARA's functions under Title 44 to preserve and provide access to government records.



We Have a Cunning Plan, M'Lord

The joint library proposal to revise Chapter 19 of Title 44 (relating to the Federal Depository Library Program) was transmitted to members of Congress on June 9, 1997. This proposal was developed by the Inter-Association Working Group on Government Information Policy. The draft bill is entitled the "Federal Information Access Program Act of 1997."

The transmittal letter to Sen. John Warner outlines the library community's goals for the revision of Chapter 19. Find both the letter and the draft bill (pdf format) at AALL's Washington Affairs Office Web site at: <http://www.ll.georgetown.edu/aallwash/lt060997.html>.

As If We Didn't Have Enough to Do May 8

GPO was also a hot topic at the House Government Reform and Oversight's Subcommittee on Government Management and Technology. Representing six library associations, AALL's Washington Affairs Representative Robert Oakley informed the Committee Members about the investments and improvements libraries have contributed to the FDLP, as well as what FDLP has brought to libraries. Oakley championed the need for a strong, centralized, and coordinated program dedicated to preservation and permanent access to electronic government information. Also, Oakley testified as to increased agency non-compliance with Title 44 and the shifting costs to users brought about by the transition to a more electronic FDLP.

So, Why Are the Hens Ignoring the Fox, Anyway?

In February, OMB created an executive branch



Printing Study Team responsible for collecting baseline and trend data on the volume of agency procurement for printing and duplicating and for developing business models that emphasize "increased agency flexibility." The GPO/NCLIS study is also getting off the ground and will give us critical data about costs

of creating and providing permanent public access to electronic government information.

Take It to the Institute

Created by legislation passed during the dog days of the 104th Congress, the new Institute of Museum and Library Services takes over from the Department of Education the management and award of state block grants for technology and service to underserved communities. AALL plans to seek ways for law libraries to participate in this grant program.

Keep Your Distance

The Conference on Fair Use (CONFU), meeting in May, proposed fair use guidelines for multimedia, digital images, and distance learning. AALL endorsed only the guidelines for distance learning. AALL's Copyright Committee concluded that the multimedia and digital image guidelines lacked the proper balance between the rights of creators and users, and also lacked adequate fair use provisions.

To File in the "Well, Duh!" Folder

The Supreme Court voted 7 to 2 to declare the Communications Decency Act unconstitutional. AALL participated in the lawsuit as a member of the Citizen's Internet Empowerment Coalition.

WIPO Redux

Stung by its failure to ratify the Proposed Treaty for the Sui Generis Protection of Databases, the World Intellectual Property Organization announced in March that it would aggressively seek revisions to the treaty. U.S. Commissioner of Patents Bruce Lehman cautioned WIPO that the U.S. will not commit to further international discussions on database protection until national debate and consultation have taken place.

It's No Secret

The Report of the Commission on Protecting and Reducing Government Secrecy (available at www.access.gpo.gov/int/) unanimously recommends actions to reduce secrecy while improving protection for national security interests ☺

Spring Depository Council and Library Conference

Highlights of the Combined Depository Library Council Meeting and the Federal Depository Conference for Law Libraries

April 13-17, 1997, Washington National Airport Hilton, Arlington, Virginia

by Donna Larson-Bennett

Arizona State University

John J. Ross - William C. Blakley Law Library

The combined Depository Library Council Meeting and the Federal Depository Conference offered an interesting and varied agenda. The following is a selective and brief review of Council actions and Conference programs.

Depository Library Council

Council discussed and addressed several issues that could have major impact on the Federal Depository Library Program. Revision of Title 44 was strongly urged and supported by Council with the recommendation that the August 1996 proposed revisions to Chapter 19 [for explanation and text see *Administrative Notes*, v.17, no.12, August 30, 1996], submitted by GPO to the Senate Rules Committee, be included in the newest proposal. Council also endorsed the Joint Committee on Printing's consultation with GPO and the National Archives and Records Administration [NARA] in order to define the respective roles in the preservation of and permanent access to electronic government information. Additional recommendations to GPO that involved electronic access included suggestions that the Public Printer create a position for a collection management officer for electronic products, that a Web Site Coordinator be appointed to facilitate consistent agency-wide development, structure, and navigation, and that GPO enhance its web-based resources by redesigning the web pages to be more intuitive to all user audiences. The latter recommendation includes specific direction to add a "Search-this-Site" mechanism, a cumulative electronic product listing with scope notes, and site configurations and mechanisms so that GPO Web resources can be included in the search results of commonly used web search engines.

Federal Depository Conference

The emphasis of Conference programs was on electronic format and issues regarding access and bibliographic control. However, variety was offered by including agency speakers in addition to librarians and other

information providers and by presenting programs which addressed marketing and use of federal information in all formats.

"Bibliographic Control in an Electronic FDLP: Problems, Practices, and Policies," provided insights from several libraries including Northwestern University, Willamette University, California State University at Fullerton, and the University of Virginia. Cynthia Wolff, Northwestern University, advised libraries to formulate policies for electronic access in the OPAC before making the jump of adding records to the OPAC. At Northwestern, a committee with members from both public and technical services worked on the policies. Arlene Weible, Willamette University, provided some sample criteria for including URLs in the catalog in a handout:

- ❖ URL is easily identified and verified
- ❖ URL provides more current information than print version
- ❖ Information on the Internet has been publicized and patron demand is anticipated.

Policy statements from these two libraries are available at the following addresses:

<http://www.library.nwu.edu/tech/baer> and
<http://nemesis.willamette.edu/techserv/>.

Carol Bednar, University of California at Fullerton, included many practical suggestions in her presentation and recommended that call numbers not be used for catalog records of URLs, but that a location be indicated using terms like "remote site."

The program, "Building Library-Agency Partnerships," was of particular interest. Stuart Basefsky, Information Specialist at Cornell University, presented an entrepreneurial approach to agency archive and record maintenance. "Public service privatization" was

recommended as a way to ensure access to electronic as well as paper files over the years. Academic or special libraries wishing to participate in this activity would seek a contractual relationship with a government agency in order to receive the work product of that agency in terms of publications and electronic files. In return, the library would provide access to the material. Issues of property rights to the material through enhancement of access mechanisms or organization at the acquiring library were not seen as a major problem. Some partnerships that are currently in operation are the University of Chicago with the Department of State, and Cornell University, Martin P. Catherwood Library, School of Industrial and Labor Relations, with the Department of Labor. Joining Stuart in the presentation were Duncan Aldrich of GPO and University of Nevada, Reno, Gregory Lawrence, Government Information Librarian, Cornell University, and James Horsfield, Chief, Research Support and Training Branch, Economic Research Service, U.S. Department of Agriculture.

Although the Conference emphasis was on the electronic medium, Robert Hinton, Reference/Documents Librarian, Indiana University Purdue University Indianapolis, presented "Tell Someone Who Cares: Creating Opportunities to Inform the World (Outside of Libraries)

About Government Documents." His point was that government documents have nearly universal appeal because of their broad topical coverage and that documents librarians can easily bring this to the attention of scholars, teachers, and others by writing and publishing bibliographies and pathfinders in non-library journals. He pointed out some examples and then enlisted the interested audience to propose articles for a selection of journal writer solicitations that he passed out. Law is one discipline that clearly lends itself to this type of outreach.

Programs were enhanced by a variety of tour opportunities: Patent Public Search Room, Trademark Public Search Room, Library of Congress' Center for Legislative Archives, and GPO's Library Programs Service. Concurrent with tours and some programs were demonstrations of the National Digital Library and GPO Access. In addition, Regional libraries began plans for a Regional meeting in Minneapolis this summer. Regional librarians or designees from a regional will be brought together by GPO to discuss problems and strategies related to service. Included in the program will be training for GPO Access and Pathways, in order to facilitate Regional training of selective librarians and staff in their areas ☺

**AALL Government Documents
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Kudos for Law Librarians



Tulis Receives Special Award

On April 15, 1997 Public Printer Michael F. DiMario presented the United States Government Printing Office Special Award for Exemplary Public Service to Susan E. Tulis for demonstrating an exemplary record of dedication and support to the principle of providing public access to Government information through the Federal Depository Library Program.

In a letter to Tulis, DiMario stated:

It was my great pleasure to present you with the GPO's Special Award for Exemplary Public Service at the Depository Library Conference in Crystal City, VA, last week. Your record of service and support for GPO and the Federal Depository Library Program

has been highly valuable to us for many years, and you have set an example that others will follow. I am enclosing a copy of the award nomination that I read from last week, as well as the photo taken at the time.

On behalf of all of us at GPO, please accept my best wishes for the future, and I hope we can continue to count on your contributions and support.

All of us in the law library community certainly join with DiMario in thanking Susan Tulis, for her service and support not only to GPO and the FDLP but to documents librarians throughout the United States ☺

Baish Named to DLC, Dow Completes Term

Public Printer Michael F. DiMario named Mary Alice Baish, AALL Assistant Washington Affairs Representative to a three-year term as one of five new members of the Depository Library Council.

Meanwhile, completing her term on the DLC, Susan Dow served the DLC as Secretary in 1995-96 and kept law librarians up-to-speed with Council matters. Kudos and thanks to both Mary Alice and Susan ☺

1997 Interagency Depository Seminar

1997 Interagency Depository Seminar: An Annual Success

by Dee Wood

University of Kentucky Law Library

The 10th Annual Interagency Depository Seminar was held in Washington, D.C., from May 28 through June 4, 1997. The Interagency Seminar offers comprehensive coverage of U.S. Government information and is held specifically for those depository librarians who have three years or less experience in the field of government publications or who have not previously attended a seminar. With the assistance of a generous GD-SIS travel grant, I was given the opportunity to attend this year's seminar which proved to be a tremendous educational experience. As a participant, I was able to observe and appreciate the inner operations of the Federal Depository Library Program, the instrument for maintaining successful communication lines between its administrators, our federal agencies, and the public sector. Our first three days were spent at the Government Printing Office where we toured the Library Programs Service facility, discussed the processes and responsibilities of the FDLP with LPS staff, and

participated in a workshop on the Federal Register/CFR publication system and GPO Access. We also heard presentations by the General Accounting Office, Department of Energy, National Oceanic and Atmospheric Administration, and the U.S. Geological Survey. Our weekend was spent enjoying the rich cultural and historical setting of Washington, D.C. On Monday and Tuesday we relocated to the Patent and Trademark Office Academy where we were involved in several information-packed workshops and presentations on patents, trademarks, copyrights, and the programs and products of the U.S. Census Bureau. The seminar ended at noon on Wednesday after an overview of the Library of Congress National Digital Library Activities and a tour of the Serial and Government Publications Divisions of the Library of Congress. The Interagency Depository Seminar was a successful effort to fulfill the needs of inexperienced depository librarians. I encourage all interested librarians to participate ☺

A Worthwhile Experience

by Jacquelyn Kasper

University of Arizona College of Law Library

GPO's Interagency Depository Seminar is billed as "the most comprehensive introduction to U.S. government information now offered," and it lives up to its claim. As one of 60 documents librarians from university, public, law, and government libraries, I attended the 10th Annual Seminar in Washington, D.C., May 28-June 4, 1997, a fortunate recipient of an AALL GODORT grant.

What did I get out of the programs as an academic law librarian? What did I like best? The A+ presentation by Ruth Pontius from the office of the Federal Register tops the list for comprehensiveness of information and scope of print and electronic publications. She covered history, content, how publications are developed and work, and strategies for research, particularly of the FR, CFRs, and LSA. The day on intellectual property was fascinating—patents, trademarks, trade secrets, and copyright presented by public information officers and an attorney. A tour of the Patent Depository Library was included.

(The library has patrons who set up mini-offices in carrels—sound familiar?) I found Census and GAO information useful for reference and referral.

All presenters clearly explained the impact and melding of electronic sources of their agency publications. There were demonstrations on GPO Access and the National Digital Library Program of the Library of Congress, and a presentation on GPO's Electronic Transition Initiatives. A tour of the newly restored Jefferson Building and the special exhibition "American Treasures of the Library of Congress: memory, Reason, Imagination" was the last day's highlight. (See the Library's Web page if you can't visit in person: <http://www.loc.gov>.)

The Seminar, shepherded by Sheila McGarr, was efficiently organized and produced a tote-bag of handouts and packets. It was a very worthwhile experience ☺

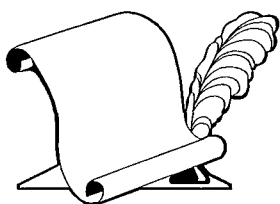
Congressional Proposals on the Future of the GPO and Their Preservation Consequences

by Chris Anglim

South Texas College of Law Library

Currently, Congress is considering amending Title 44 of the U.S. Code through the Government Printing Office (GPO) Act of 1997. These amendments could dramatically affect the GPO's future and efforts to preserve government documents for our users. The GPO's mission, as currently articulated in Title 44, is to fulfill the printing needs of the Federal Government and distribute government publications to the public. The basic principle behind the public access guarantees of Title 44 is to ensure convenient public access to timely government information at no fee. The library community, and specifically the depository community, is concerned that changes to Title 44 include provisions to establish the ongoing responsibilities of the federal government to preserve government documents over the entire life cycle of government information and, specifically, to provide continuous permanent public access to electronic government information. Preservation of materials should be understood as an essential means to ensure permanent access to government information.

Members of the library community have been concerned that the proposed changes in the Federal Depository Library Program (FDLP) will increase dependence on electronic dissemination of government information at the expense of traditional documentation.



It remains critical that the statute continue to recognize the responsibility of the federal government to provide for permanent public access to government information in all formats

through a comprehensively coordinated program that includes the Superintendent of Documents and depository libraries. Today, the Federal Depository Library Program ensures broad citizen and long-term access to print, microforms, and some electronic information. As institutions dedicated to public access, libraries are proven and effective partners in providing broad public access to physical collections. Furthermore, the publications provided through the Depository Library Program are a permanent and official source of Government information

Robert Oakley, Director of the Law Library at Georgetown University, discussed issues relating to the future role of the Depository Library program and its role in preservation when he addressed the House Subcommittee on Government Management, Information and Technology of the Committee on Government Reform and Oversight on the Government Printing Office and Executive Branch Information Dissemination on May 8, 1997. Invoking the need to preserve "the life cycle of government information from creation to preservation" in an increasingly electronic context, Oakley remarked that:

Depository libraries have built rich collections of print materials that will continue to serve the research and education needs of Americans for generations to come. These collections include important historical materials, such as the bound *Congressional Record*, older decennial Census reports, and the decisions of the US Supreme Court. These rich historical collections—many of which are more than one hundred years old—represent the working history of our nation and are heavily used by citizens in every state. It is important to recognize that, while more and more of today's information is available only in electronic formats, libraries must continue to maintain these print collections even as they plan for a more electronic Federal Depository Library Program.

Oakley articulated well that in the rush to adopt new technology, "the historical record of key government resources—including historically significant congressional titles—is jeopardized by the discontinuation of print format in favor of only electronic distribution."

Electronic information provides unique challenges in terms of preservation and permanent access which have yet to be satisfactorily addressed. As Oakley told the committee, a "proven, comprehensive, permanent electronic replacement" has not yet been developed that "ensures long-term public access with the ability to migrate from technological platform to another. We consider these titles among the core documents of our

democracy and vital to the public's right to know. Electronic formats such as CD-Rom currently fail to meet the necessary standards to ensure permanent long-term access and preservation, nor are they the official, authoritative versions."

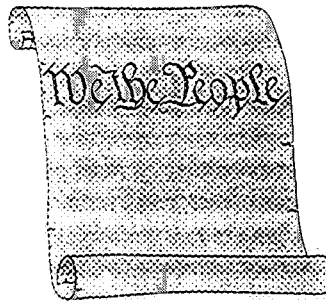
Preservation and long-term access must remain as two necessary objectives which must be coordinated in creating a more electronic FDLP. Oakley remarked, "It is critical that the law recognize the responsibility of the federal government to provide for permanent public access to government information in all formats throughout a comprehensively coordinated program that includes the Superintendent of Documents, federal agencies, the national Archives and records Administration, the Library of Congress, and other national libraries, depository libraries, and other library partners." Oakley stressed the need for effective coordination, stating that, "there is a strong need for a central coordinating authority, whose functions should include the development of much needed finding tools, and the preservation and permanent public access of government information."

Oakley delineated some of the difficulties involved in implementing a largely electronic depository program:

There are complex implementation challenges and significant costs ahead, particularly in terms of long-term access and preservation of government information that is available only through electronic formats such as agency Web sites. . . . No entity of government . . . has established the systematic and comprehensive means for ensuring the preservation and permanent public access of electronic government information. We believe that this function should rest with the Superintendent of Documents as an extension of its duties to oversee and maintain the (Federal Depository Library Program) FDLP.

Individual agencies are publishing their own materials on web sites, but there are not yet uniform standards, easy locators, or guarantees of long-term access and preservation.

One of the current challenges for the program is the fact that there exists no comprehensive system for retention and continuous public access for electronic government information. The early version of the document entitled *The Electronic Federal Depository Library Program: Transition Plan, FY 1996-FY 1998* envisioned an aggressive approach to changing the FDLP to a predominantly electronic program in 2.5 years. One of the issues which arose is that the 2.5-year transition plan did not incorporate adequate measures to ensure permanent preservation of and public access to electronic information products. These preservation concerns, along with other comments in response to the transition plan, led directly to the development of the *Strategic Plan* that was included in the June 1996 *Final Study Report*. The *Strategic Plan* proposes a more gradual transition during the period FY 1996-FY 2001. This *Strategic Plan* builds on the strengths of the existing program and will move the FDLP toward a significantly greater electronic information dissemination and access program. The Plan reflects the views and advice of the library community, Federal publishing agencies and users of Government information.



The federal government has an undeniable continuing commitment to provide information to its citizens and to preserve that information. "In an electronic environment," said Oakley, "the only partner in a position to assure preservation and ongoing access to government information is the federal

government itself." Today, there are 1371 depository libraries, including the 53 regionals. Of these, 11 percent are law school libraries. Like the rest of the academic world, the Depository Library program is a major component of the American law school's education and research programs. For all depositories, how well we are able to carry out our mission of providing permanent access depends largely on how well we are able to preserve the documents entrusted to our care. Preservation of the records we receive in the Federal Depository Library Program is vital to the future of American democracy, for those records inform the nation's citizenry, which helps guarantee a responsible and accountable federal government ☺