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Government Documents
Special Interest Section

Letter from The Chair By A. Hays Butler

In this column I would like to bring members up to date on the results of the SIS election and also discuss some of the events being sponsored by the SIS in Orlando.

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This Year's Election

Several weeks ago Katrina Stierholz, this year's Vice-Chair, took a position with the Federal Reserve in St. Louis and resigned her position in AALL. At that time, the SIS was in the middle of an election for Vice-Chair. Sue Lyons and Chris Anglim were the two candidates in that election. In order to have a Chair next year, the Executive Committee decided that the winner of the election would become Chair at the Annual Meeting and the runner-up would become Vice-Chair. Sue Lyons won the election. Therefore, Sue will become the next Chair in July and Chris will become Vice-Chair.

Programs

The SIS is sponsoring the following programs in Orlando: *B-2. Reach Out and Train Someone: Training Public Interest Lawyers and Non-Law Librarians in the Use of Free Government Information.*

In this program two librarians, experienced in programs for training non-law librarians and public service lawyers, will discuss the contents of such programs and the selection of training tools. The session will compare differing approaches to training lawyers and librarians.

E-3. Connecting with the Worldwide Effort to Combat Crimes Against Humanity: the Creation of the International Criminal Court.

On July 17, 1998, the Rome Statute of the International Criminal Court was adopted by the United Nations Diplomatic Conference in Rome. 60 nations have ratified the treaty and it will go into effect on July 1, 2002. A panel of experts will discuss these developments and provide their insights on how the International Criminal Court is likely to evolve as an international judicial institution.

K-3. Government Documents Around the World: Access Policies and Strategies of Disclosure.

In this program speakers will introduce government documents from three civil law jurisdictions: France, Mexico, and China. The program will discuss the legal system of these jurisdictions and important government publications in these countries. The session will address the need that many of our patrons have for legal information from non-English speaking jurisdictions, which is frequently in demand but difficult to access.

H-4. Connecting Digitization and Reorganization: Restructuring the Documents Department to Accommodate Electronic Digitization/Preservation Projects.

This program will provide information on the feasibility of developing a digitization project and how to best restructure the Documents Department to accommodate such a project. Two librarians will explain what type of resources their digitization projects consumed and a library director will analyze whether such a project is feasible or beneficial for the library.

SIS Events

In addition to the programs described above, there will be a series of SIS meetings. Our business meeting will be at 5:00 on Sunday, July 21. We will have a breakfast at 7:00 AM on Tuesday, July 23 to welcome new members to the SIS. Finally, there will be a meeting on Wednesday, July 24,

at 7 AM to update our members on important developments at GPO. I would encourage all members interested in the SIS to come to all of these events.

My term as Chair is coming to a close. It has been a privilege to chair the SIS this year. The best part of being Chair is the opportunity to meet and work with so many wonderful and dedicated librarians who are doing so much for the profession and the public we serve. I want to thank all of you for providing the opportunity to serve the SIS. It has been a very rewarding experience.



MEMBERSHIP/COMMITTEE NEWS



Update: Fugitive & Electronic-Only Documents Committee

By Rob Richards, Committee Coordinator

The loss of valuable electronic government information troubles all documents librarians. At the behest of leaders A. Hays Butler and Greta Boeringer, AALL GD-SIS has established a committee devoted to alleviating one type of information loss, namely “fugitive documents” -- U.S. government publications that should be, but are not, included in the Federal Depository Library Program. Though constituting valuable portions of the public record, many Web-based, government “fugitive” titles may vanish forever, before librarians learn of their existence. The SIS’s Fugitive & Electronic-Only Documents Committee (<http://www.colorado.edu/Law/lawlib/ts/fugitive/>) is pleased to report its progress during the past year.

The committee’s purpose is to identify fugitive electronic U.S. federal documents on law and policy, report these documents to the U.S. Government Printing Office (GPO) for cataloging and preservation, notify the documents community about these documents, and facilitate hard copy publication of some of these documents. In this work, the committee partners with GPO’s Electronic Documents Working Group (EDWG). Here is a brief report on the committee’s recent activities.

* Between May 1, 2001 and May 23, 2002, the committee’s members have reported to GPO 92 fugitive federal publications on law and policy. Of these titles, GPO has distributed five in tangible format (including the State Department’s revived *Digest of*

United States Practice in International Law), while cataloging and preserving 66 as “electronic only” publications (among them many agencies’ reports to Congress; the Defense Department’s procedural rules for “War on Terror” military tribunals; and reports of federal commissions on topics such as social security, the Postal Service, and restructuring the federal judicial system). Twenty-one titles reported by the committee remain fugitive. Current lists of reported documents may be found at <http://www.colorado.edu/Law/lawlib/ts/fugitive>.

The committee expresses its gratitude to Superintendent of Documents Francis Buckley, Director of GPO’s Library Programs Service (LPS) Gil Baldwin, the LPS Analyst Staff (particularly Laurie Beyer Hall, Cynthia Etkin, and Joe Paskoski), the Depository Services Staff (particularly Robin Haun-Mohamed), and Cataloging Branch (particularly Thomas Downing) for their exemplary efforts to include fugitive titles into the depository program.

* Committee members Cecily A. H. Giardina and Caitlin Robinson have consistently notified the law library and documents communities about these fugitive and electronic-only titles, through messages to the LAW-LIB, LAWACQ, and GOVDOC-L listservs.

* Committee members now monitor the Websites of 67 federal agencies and departments, among them all the agencies of the U.S. Department of Justice, to identify new fugitive documents. Mark Bartlett of the committee organized our coverage of the numerous Justice Department sites. In all of its monitoring of agency sites, the committee coordinates its efforts with GPO’s EDWG, chaired by John Stevenson. The committee expresses its gratitude to John and all the working group members, and especially Bert Chapman for reporting several Defense Department titles.

* With the assistance of committee members A. Hays Butler and Scott Matheson, AALL’s Washington Affairs Representatives Robert Oakley and Mary Alice Baish have urged the Administrative Office of the U.S. Courts to provide public access to *The Guide to Judiciary Policies and Procedures*. Now exclusively electronic, this valuable publication is available only on the intranet of the federal judiciary. The committee is grateful to Mr. Oakley and Ms. Baish, whose letter to AOUSC may be found at <<http://www.ll.georgetown.edu/aallwash/lt04232002.html>>, for devoting time to this issue.

* Thanks to David Bratman of Stanford University Robert Crown Law Library and other AALL members, the committee has reported to GPO - and GPO has corrected - more than one dozen broken PURLs for federal documents. The committee is grateful to Theodore Defosse of GPO Cataloging Branch for maintaining GPO’s PURLs.

* William S. Hein & Co., Inc., through the efforts of Senior Vice President for Research and Development Daniel Rosati and Marketing Manager Brian Jablonski, has begun reprinting selected electronic-only federal documents on law and policy. The committee thanks Mr. Rosati, Mr. Jablonski, and the Hein Company for helping to distribute and preserve these significant publications.

* The committee is preparing to archive selected fugitive electronic publications that GPO has chosen not to catalog and preserve.

* Superintendent of Documents Francis Buckley and GPO Cataloging Branch Chief Thomas Downing have recently praised the committee's work to the American Library Association. Similarly, leaders in the law library and documents communities - Peggy Roebuck Jarrett, Cheryl Rae Nyberg, and Jan Oberla - favorably noted the work of the committee in recent articles on fugitive documents published in *Law Library Lights*. The committee expresses its thanks to these authors for their gracious acknowledgments. 1

* In April 2002 the Depository Library Council commended the committee and its partner, the EDWG, for working with GPO to increase public access to government information. The committee is most grateful to the Council – and particularly its Chair, Andrea Severson, and Council members Charlene Cain, Paul Arrigo, and John Stevenson - for this humbling recognition.

Much of the committee's initial success stems from the encouragement and generosity of AALL's leadership. The committee is especially grateful to AALL's President Barbara Bintliff, AALL's Washington Affairs Representatives Robert Oakley and Mary Alice Baish, and AALL GD-SIS's leaders A. Hays Butler and Greta Boeringer, for their support of the committee's work. The committee also wishes to thank the GD-SIS membership and the AALL membership for their numerous contributions. As coordinator of the committee, I applaud the committee's members for their diligence, perseverance, and dedication: Christopher Anglim, Mark Bartlett, Hays Butler, Georgia Chadwick, Cecily Giardina, Gwendolyn Lohmann, Susan Lyons, Susanna Marlowe, Scott Matheson, Caitlin Robinson, Randall Tenor, and Alice Youmans.

Most committee members agree that helping to save valuable government information for posterity can be intellectually stimulating, professionally rewarding, and personally satisfying – as well as downright fun! If you would like to participate in, or learn more about, the work of the Fugitive & Electronic-Only Documents Committee, please contact Rob Richards, the committee's coordinator, at robert.c.richards@colorado.edu.

Note

1 Francis J. Buckley, Jr., GPO Update, Admin. Notes, July 15, 2001, at 16, 20, also available on Internet (last visited Apr. 5, 2002)

<http://www.access.gpo.gov/su_docs/fdlp/pubs/adnotes/ad071501.htm#9>; Thomas A. Downing, *LPS Cataloging Update*, *American Library Association Midwinter Conference, January 2002*, Admin. Notes, Feb. 15, 2002, at 4, 4, also available on Internet (last visited Apr. 7, 2002)

<http://www.access.gpo.gov/su_docs/fdlp/pubs/adnotes/ad021502.html#5>; Peggy Roebuck Jarrett & Cheryl Rae Nyberg, *Should I Stay Or Should I Go Now? Law Libraries and the Federal Depository Program in the Electronic Age*, L. Libr. Lights, Fall 2001, at 1, 1, also available on Internet (last visited Apr. 5, 2002) <http://www.llsdc.org/lights/pdf/45_1.pdf>; Jan Oberla, *Fugitive Government Documents*, L. Libr. Lights, Fall 2001, at 14, 15, also available on Internet (last visited Apr. 5, 2002) <http://www.llsdc.org/lights/pdf/45_1.pdf>.



Jurisdocs Backfiles

Eric Parker has completed the digitization of the complete run of JURISDOCS, dating back to 1978. All issues are available as PDF files, and may be accessed at

<<http://www.aallnet.org/sis/gd/jurisdocs/>>.

Many thanks are due to Galen Fletcher of Brigham Young (who provided Eric with PDF files for issues dating back to 1990), and to the folks at the University of Illinois at Urbana-Champaign Archives, who provided the photocopies of issues from 1978-1989.



AALL NEWS

<http://www.aallnet.org/press/>



AALL Joins Amicus Brief Challenging Copyright Term Extension Act

For Immediate Release

May 23, 2002

The five major library associations, including AALL, and other interested organizations jointly filed an amicus brief May 20 in a U.S. Supreme Court case challenging the constitutionality of the Sonny Bono Copyright Term Extension Act.

In supporting the challenger's case in *Eldred v. Ashcroft*, the brief asks the Supreme Court to rule that the extended term of protection for copyrighted works is unconstitutional. The brief explains how the Sonny Bono Copyright Term Extension Act exceeds the "limited times" of protection authorized by the Constitution's Copyright Clause and how it stifles the public domain by keeping works under almost perpetual copyright protection.

The 1998 Sonny Bono Copyright Term Extension Act extends the copyright term for an additional 20 years. A commercially produced work is now governed by the provisions of copyright law for 95 years. For an individual's work, the term is "life of the author" plus 70 years.

Joining the brief of the American Library Association, American Association of Law Libraries, Association of Research Libraries, Medical Library Association and Special Libraries Association are the following organizations: American Historical Association, Art Libraries Society of North America, Association for Recorded Sound Collections, Council on Library and Information Resources, International Association of Jazz Record Collectors, Midwest Archives Conference, Music Library Association, National Council on Public History, Society for American Music, and Society of American Archivists.

The Supreme Court is expected to hear arguments this fall. For more information about the amicus brief and the case, please go to Washington Affairs Online at <http://www.ll.georgetown.edu/aallwash/pr05212002.html>.



The Flamingo Wants You!

For Immediate Release

June 6, 2002

Care to lend a hand while you're in Orlando? Volunteering at the AALL Annual Meeting & Conference is a great way to create connections and be a part of the action!

The Local Advisory Committee is looking for volunteers who like:

- * People! Would you like to interview speakers for the Annual Meeting's daily newspaper, The Orange Peel? Would you like to welcome attendees to the conference?
- * Reaching out! Would you like to spread the word about a program you enjoyed? Would you like to catch up with both new and established colleagues?
- * Fun! All those conference bags don't stuff themselves, you know! It's an informal way to get an early taste of all that the conference has to offer.

If you would like to get involved in Orlando, fill out the Volunteer Opportunities Registration Form in your Preliminary Program or online at http://www.aallnet.org/events/02_volunteer_opportunities.asp. Please send your form before June 10 to:

Gregg Gronlund
Head, Law Department
Orange County Law Library
101 E. Central Blvd.
Orlando, FL 32801
Phone: 407/835-7390
Fax: 407/835-7646



AALL Washington Affairs

<http://www.ll.georgetown.edu/aallwash/>



ACTION ALERT:

OMB Memorandum M-02-07, "Procurement of Printing and Duplicating Through the Government Printing Office"

June 7, 2002

BACKGROUND:

On May 3, 2002 the Office of Management and Budget (OMB) released a memorandum to executive agencies stating that agencies should no longer be required to use the Government Printing Office (GPO) for their printing and procurement needs as currently required under section 501 of Title 44 of the United States Code. The OMB memorandum proposes that the Federal Acquisition Regulation (FAR) - the rules under which executive branch agencies procure goods and services - be revised. This would follow a period of public notice and comment, with the intent that the new policy would be effective on or before September 1, 2002.

Similar proposals were attempted by the Reagan Administration in 1987 and, more recently, under the reinventing government initiative of the Clinton Administration. The library community strongly opposes the decentralization contemplated by the OMB proposal because it would sever the important link between the procurement of agency publications through the GPO and the distribution of titles that by law are to be made available to the public through the Federal Depository Library Program (FDLP). Experience demonstrates that the result of decentralization will be a massive increase in the number of fugitive documents.

Sen. Mark Dayton (D-MN), chair of the Joint Committee on Printing, has scheduled a hearing on the memorandum to be held on June 18th. The witnesses will include representatives from OMB, GPO, the library community and the printing industry. This is also an important issue for the appropriations process now underway. The Senate Legislative Branch Appropriations Subcommittee plans to mark up the Legislative Branch Appropriations Act for FY 2003 shortly after the JCP hearing.

ACTION NEEDED: We have made great efforts here in Washington to visit staff of the members of the Joint Committee on Printing (JCP), as well as of the Senate and House Legislative Branch Appropriations Subcommittees. However, it is very important that the members of the JCP and the

Legislative Branch Appropriations Subcommittees hear about the importance and urgency of this issue directly from their constituents.

Listed at the end of this message are members of the JCP, and the House and Senate Legislative Branch Appropriations Subcommittees.

IF YOUR HOUSE AND SENATE REPRESENTATIVES ARE LISTED below as members of any of these three committees, please contact them immediately by phone or fax them a short letter, using the talking points below.

In addition, if your representative is a member of the JOINT COMMITTEE ON PRINTING, urge him/her to attend the hearing on June 18th and to speak out strongly against the OMB proposal because it will destroy the Federal Depository Library Program and erode public access to federal government information.

If your representative is a member of the HOUSE OR SENATE LEGISLATIVE BRANCH APPROPRIATIONS SUBCOMMITTEE, urge him/her to fully support the Public Printer's FY 2003 request of \$34.1 million for the Salaries and Expenses (S&E) Appropriation of the Superintendent of Documents. This includes \$27.3 million to fund the Federal Depository Library Program (FDLP) and \$4.0 million for the Cataloging and Indexing Program.

IF YOUR HOUSE AND SENATE REPRESENTATIVES ARE NOT LISTED below as members of these three committees, please contact them immediately by phone or fax them a short letter, based on the talking points below, with the following messages:

1. express your opposition to the OMB Memorandum because it will sever the transparent link between procurement and public access through the FDLP;
2. urge them to support full FY 2003 funding for GPO and the FDLP;
3. and, very importantly, please ask them to contact the leadership of the committees listed below to express your position.

TALKING POINTS

1) REGARDING THE PROCUREMENT ISSUES:

- CONTRARY TO OMB'S ASSERTIONS, GPO IS NOT A "MONOPOLY."

(a) Less than half of all federal printing is procured through GPO.

(b) A number of executive agencies have in-house printing and photo-duplicating facilities and solicit print work from other federal agencies.

(c) Some agencies already contract directly with the private sector for printing (despite the requirements of Title 44).

- GPO'S CENTRALIZED PRINT PROCUREMENT IS A PUBLIC ASSET.

(a) GPO's centralized print purchasing program achieves substantial savings for taxpayers since Congress appropriates no funds to GPO to support its printing procurement program.

(b) A 1998 management audit by Booz-Allen & Hamilton, Inc., an independent consulting firm working under contract to the General Accounting Office at the direction of Congress, found "universal support" in the executive branch for the GPO's services.

- GPO'S PROCUREMENT PROCESS IS COST-EFFICIENT.

(a) Studies have indicated that decentralizing authority for printing among executive branch agencies could lead to significant cost increases in government printing for agencies.

(b) Removing executive branch work from GPO could double the cost of congressional printing and binding.

2) REGARDING THE PUBLIC ACCESS ISSUES:

- THE FDLP EFFECTIVELY PROVIDES LOCAL ACCESS TO FEDERAL GOVERNMENT INFORMATION.

(a) Approximately 1,300 depository libraries - located in virtually every congressional district - provide citizens with direct, local access and assistance to federal government information.

(b) The FDLP is an efficient and effective partnership program between Congress, agencies, and the American public. For every one dollar the federal government spends, local libraries spend an average of \$3 to support local FDLP collections and to help the public use this material.

(c) For over 150 years, the FDLP has made government information in all formats permanently accessible to the public at no fee through depository libraries.

● THE OMB PROPOSAL WILL REDUCE PUBLIC ACCESS TO GOVERNMENT INFORMATION.

(a) Tangible publications (e.g., print, microfiche, CD-ROMs) produced by executive agencies outside of the GPO most often become "fugitive" documents. Even though these publications are paid for by tax dollars, they are not distributed to depository libraries, nor are single copies provided to GPO for cataloging and indexing.

(b) A key factor in the FDLP's success is that it is transparent to the agencies. As agencies requisition printing jobs, GPO is positioned to capture the necessary information to order additional copies for depository libraries - making them physically available at local libraries - and to catalog the publications, which makes their existence and availability known to everyone. The OMB proposal would sever the important, transparent link between the procurement of agency publications and the distribution of titles.

(c) While the government has embraced the Internet as a means to disseminate more electronic environment, print and other tangible publications still play a vital role in informing the public. In FY 2001, GPO distributed 5.9 million tangible copies of 14,700 titles to depository libraries.

Thank you,

Mary Alice Baish
Associate Washington Affairs Representative
American Association of Law Libraries

MEMBERS OF THE JOINT COMMITTEE ON PRINTING:

Senate Members:

Sen. Mark Dayton (D-MN), Chair 202-224-3244
Sen. Dianne Feinstein (D-CA) 202-224-3841
Sen. Daniel K. Inouye (D-HI) 202-224-3934
Sen. Thad Cochran (R-MS) 202-224-5054
Sen. Rick Santorum (R-PA) 202-224-6324

House Members:

Rep. Bob Ney (R-18-OH), Vice Chair 202-225-6265

Rep. John T. Doolittle (R-4-CA) 202-225-2511

Rep. John Linder (R-11-GA) 202-225-4272

Rep. Steny Hoyer (D-5-MD) 202-225-4131

Rep. Chaka Fattah (D-2-PA) 202-225-4001

MEMBERS OF THE SENATE APPROPRIATIONS LEGISLATIVE BRANCH
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Sen. Richard Durbin (D-IL), Chairman 202-224-2152

Sen. Tim Johnson (D-SD) 202-224-5842

Sen. Jack Reed (D-RI) 202-224-4642

Sen. Robert Bennett (R-UT), Ranking 202-224-5444

Sen. Ted Stevens (R-AK) 202-224-3004

MEMBERS OF THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON LEGISLATIVE:

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Rep. Zach Wamp (R-3-TN) 202-225-3271

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Rep. Ray LaHood (R-18-IL) 202-225-6201

Rep. Don Sherwood (R-10-PA) 202-225-3731

Rep. James Moran (D-8-VA), Ranking 202-225-4376

Rep. Steny Hoyer (D-5-MD) 202-225-4131

Rep. Marcy Kapur (D-9-OH) 202-225-4146

**AALL Government Document
SIS Information 2001-2002**

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