Classification of Indigenous Data Sovereignty and Data Privacy: Indigenous and Common Law Patterns

Cindy Tian
University of Notre Dame

On February 23, 2022, Jolande Goldberg, Senior Law Classification Specialist at the Library of Congress, gave a presentation for the Legal Cataloging Forum entitled Information & Data: Information Society and Personal Rights & Interests. A Review of Indigenous, Common & Civil Law Classification Patterns. In this presentation, Jolande discussed the changes and updates proposed to Library of Congress Classification K schedules for works on data sovereignty and information privacy. The presentation covered an extensive discussion on the subject matter, including terminology, relationships, and hierarchies in the classification schedules (both global and regional scopes), open access to data, information justice, and classification patterns. This column will focus on indigenous data sovereignty and data privacy and their proposed updates in indigenous and common law classification schedules.

Indigenous Data Sovereignty
Indigenous data sovereignty is the right of a nation to govern the collection, ownership, and application of its own data. Indigenous data sovereignty derives from the inherent right of Native nations to govern their peoples, lands, and resources; therefore, it is not limited by geographic jurisdiction or digital form. In the US, promoting indigenous data sovereignty accords with the American Declaration on the Rights of Indigenous Peoples (2016).

(Continued on page 6)
## 2021-2022 Officers, Committee Chairs, and Representatives

### LSRD-SIS:
- **Chair:** Larissa Sullivant
- **Indiana University**
- **Vice-Chair/Chair-Elect:** Keiko Okuhara
- **University of Hawaii**
- **Past Chair:** Kevin Carey
- **Ohio State University**
- **Secretary/Treasurer (2021-22):** Christopher Todd
- **University of Pittsburgh**
- **Members-at-Large:**
  - Rachel Evans (2021-23)
  - University of Georgia
  - Keelen Weber (2021-22)
  - University of Nebraska, Lincoln
- **Education Committee:**
  - Jennifer Noga
  - Wake Forest University
- **Local Systems Committee:**
  - Keiko Okuhara
  - University of Hawaii
- **Nominating Committee:**
  - Jackie Magagnosc
  - Cornell University
- **OCLC Committee:**
  - Christopher Thomas
  - University of California, Irvine
- **Web Advisory Committee:**
  - Keven Carey
  - Ohio State University
- **TS-SIS:**
  - **Chair:** Joan Stringfellow
  - **Texas A&M University**
  - **Vice Chair/Chair-Elect:** Jason LeMay
  - **Emory University**
  - **Past Chair:** Carol Morgan Collins
  - **University of Tennessee**

### TS-SIS cont.
- **Secretary/Treasurer (2020-22):** Anne Mellott
  - Loyola Marymount University
- **Members-at-Large:**
  - Jessie Tam (2021-23)
  - Thurgood Marshall State Law Library
  - Thuy T. Huynh (2020-22)
  - South Texas College of Law
  - Houston
- **Awards Committee:**
  - Wendy Moore
  - University of Georgia
- **Bylaws & Handbook Committee:**
  - Carol Morgan Collins
  - University of Tennessee
- **Membership Committee:**
  - Kevin Carey
  - Ohio State University
- **Metadata Management Committee:**
  - Shawn King (2020-22)
  - University of Wisconsin
  - Tania Diaz Marrero (2021-23)
  - Library of Congress
- **Nominating Committee:**
  - Pat Sayre-McCoy
  - University of Chicago
- **Professional Development Committee:**
  - Jennifer Mart-Rice (2021-22)
  - Washington & Lee University
  - Lauren Seney (2020-22)
  - University of Colorado
- **Resource Management Committee:**
  - Karen Scoville (2020-22)
  - Arizona State University
  - Elizabeth Umpleby (2021-23)
  - University of Connecticut
- **Website Coordinator:**
  - Marijah Sroczynski
  - Morrison & Foerster LLP

### LSRD and TS-SIS Representatives/Liaisons
- **ALA MARC Advisory Committee (MAC):** Rachel Decke, Chapman University
- **ALA Committee on Cataloging: Description and Access (CC:DA):** Ryan Tamares, Stanford University
- **ALA Subject Analysis Committee (SAC):** Cate Kellett, Yale University
- **Funding Research Opportunities Grant (FROG):**
  - Chair, Jessie Tam, Thurgood Marshall State Law Library (2021-23)
  - Rep.-at-Large: Heather Buckwalter, Creighton University (2021-23)
- **LSRD-SIS Reps:** Jennifer Garafolo, University of California, Los Angeles (2020-22), Kevin Carey, Ohio State University (2021-23)
- **TS-SIS Reps:** Jackie Magagnosc, Cornell University (2021-22), Jennifer Argueta, University of La Verne (2021-23)
Greetings and Salutations, fellow LSRD-SIS members!

The past two years have evolved into a long series of online meetings, webinars, and virtual events as a result of the COVID-19 pandemic. This new work-from-home “virtual reality” taught us a lot about Zoom backgrounds, WebEx meetings, Microsoft Teams settings, webcam etiquette, and how to dress formally from the waist up. That reality has started to change – finally. And now … mark your calendars – for the first time in two years, the 2022 AALL Annual Meeting and Conference is happening in person on July 16-19 in Denver!! It is very exciting to meet in person again! Masks most definitely will be required (when not eating or drinking) during indoor sessions, and attendees may need to provide proof of vaccination or a recent negative COVID-19 test. These minor inconveniences, however, will be a small price to pay when compared to the very positive reality of attending an in-person conference. The benefits of networking and building professional relationships are clear!

To accommodate those of us who, for various reasons, will not be able to attend in person, the Annual Meeting’s educational programs will be recorded and possibly offered synchronously online. With regard to educational programs, the LSRD-SIS has forwarded two programs to the AMPC for sponsorship consideration: *Marketing Sustainable Mid-Size Institutional Repositories with No Pennies* (Keiko Okuhara, University of Hawaii at Manoa) and *You Too Can YouTube: Making the Case for Law Library Channels* (Rachel Evans, University of Georgia). We hope both proposed educational programs will be accepted for sponsorship. We are expecting the AMPC to announce its decision soon. I will be sharing more information with you as soon as it becomes available.

It’s February, which means it’s time for elections! The LSRD-SIS Nominating Committee is currently seeking candidates for the 2022 Executive Board; please consider nominating yourself or a colleague. Please submit names and biographies either to Jessica Pasquale, Nominating Committee Chair, hanesjl@umich.edu, or to me, Larissa Sullivan, LSRD-SIS Chair, lavsulli@iu.edu.

Service on the LSRD-SIS Executive Board is not only a great way to support our special interest section, but also an invaluable learning experience which provides an opportunity to develop new skills or build on existing experience and knowledge. It is also a lot of fun! The LSRD-SIS Nominating Committee is seeking candidates for the following two Executive Board positions:

**Vice President/President-Elect (3-year term).** The Vice Chair/Chair-Elect serves as a member of the Executive Board and chairs the educational program committee for the AALL Annual Meeting. At that time, the Vice Chair/Chair-Elect assumes the presidency for a one-year term. As President, this individual is responsible for oversight of LSRD-SIS, including appointment of committee members, running the Executive Board meetings, overseeing the LSRD-SIS budget, securing funding support, and assisting with both organizational and educational decisions for the upcoming AALL conference. The Chair is also responsible for the coordination of LSRD-SIS activities with the AALL Headquarters. At the completion of the one-year term as Chair, this individual serves one additional year on the Executive Board as the immediate Past Chair.
**Member-at-Large (2-year term; one position open).** There are two members-at-large, each serving as members of the Executive Board on staggered two-year terms. Each member-at-large has the same duties: they represent the membership on the Executive Board, help with organizational decisions of the Executive Board, and carry out other duties arising during the course of service. **One member-at-large** position is open this year to replace the outgoing representative.

On February 2, 2022, Punxsutawney Phil predicted six more weeks of winter as a massive storm, Landon, threatened a wide swath of the United States. For my part, I wish all of you an early spring and hope to see many of you in Denver in July!

*Larissa Sullivant, LSRD-SIS Chair
Indiana University*

---

**From the Chair**

**TECHNICAL SERVICES SPECIAL INTEREST SECTION**

Howdy TS-SIS Members,

Welcome to spring (well, almost)! I don't know about you, but I am ready for some warm weather!

You probably heard the news by now, but AALL has finally announced that we will be meeting in person in Denver for our 2022 Annual Meeting & Conference! It will be great to see everyone and catch up face-to-face instead of via Zoom!! Though the Annual Meeting will be in-person, we will still have our TS-SIS Business Meeting virtually in June before we head to Denver. Stay tuned for the date and Zoom information for that meeting.

In Denver, we will have our Standing Committee Roundtables, the Management Issues Roundtable, and a Hot-Topic on-site. Keep an eye on the Annual Meeting Agenda page for more information as the schedule is finalized. We are also waiting to hear which of our 6 program proposals will be accepted by the AMPC. A little birdy told me that we have confirmation that 4 of the programs may have already been accepted, but you will have to wait for that announcement coming soon!!

In addition to the events in Denver mentioned above, the Professional Development Committee has been hard at work preparing wonderful PDC events from now through June. These include two webinars and the Working Parents Discussion Group. Please watch your email for more information.

The Nominations Committee recently submitted the slate of candidates to the Board for the 2022-2023 Technical Services Executive Board:

**Chair-Vice Chair/Chair-Elect (3-year term 2022-2025)**
Shawn King, University of Wisconsin Law Library
Thomas Ma, Harvard University Law Library
Secretary/Treasurer (2-year term 2022-2024)
Karin Carey, Ohio State University Moritz Law Library
Marijah Sroczynski, Morrison & Foerster LLP

Member-at-Large (2-year term 2022-2024)
Rachel Decker, Fowler School of Law, Chapman University
Yan Yu, University of Notre Dame

Additional nominees by petition, along with written acceptances, will also be accepted and must be filed with the Secretary/Treasurer by March 15, 2022.

Please check your email for all candidate statements and election details next month!

Thanks to Pat Sayre-McCoy (chair) and Colleen Williams of the Nominating Committee for all of their hard work putting together this wonderful slate of candidates. You guys did a great job!! And thank you to those willing to volunteer to make this SIS even better!!! As we say at TAMU: Whoop!!

I know it has been a difficult couple of years due to the pandemic, so please watch your email for upcoming TS-SIS Grant opportunities for the Annual Meeting! You can also find more information soon by visiting our Awards & Grants page.

Speaking of awards, the announcement has gone out for nominations for the Renee D. Chapman Memorial Award for Outstanding Contributions in Technical Services Law Librarianship. This award is presented at the annual meeting of the American Association of Law Libraries to an individual or group in recognition of achievement in an area of technical services, for services to the Association, or for outstanding contributions to the professional literature.

Factors considered in selecting the recipients of the Chapman Award include such things as the publishing, presenting, or sharing of innovative techniques or research, analysis, or commentary; the development of software, hardware, or other mechanisms that significantly enhance access to collections; and the contribution of service to the Technical Services SIS as a whole. Achievements may be in the area of acquisitions, cataloging and classification, materials processing, preservation, automation, or technical services administration.

All members of AALL are invited to submit names for consideration by the TS-SIS Awards Committee. Nominations should include the nominee's full name and address. If the nominee is retired, submit the name, last place of work, and home address. Someone other than the nominee should sign the letter of nomination. The letter should accompany a list of projects, programs, or publications of the nominee and should describe the nominee's work with respect to qualification for the Chapman Award.

The application deadline is March 18, 2022. All materials in support of a nomination should be sent as .pdfs to the TS-SIS Award Committee 2021-2022 Chair, Wendy Moore, at wemoore@uga.edu.

For details, see the Chapman Award section of the Technical Services website at www.aallnet.org/tssis/awards-grants/.

A list of past recipients of the Renee D. Chapman Memorial Award is available at www.aallnet.org/tssis/awards-grants/.

Well, I think that about covers it!! Thank you for reading, and I hope to see you all in Denver this summer!!!

Joan Stringfellow, TS-SIS Chair
Texas A&M University
and the advocacies made by organizations such as the United States Indigenous Data Sovereignty Network (USIDSN) that was established to provide research and policy advocacy on decolonizing data and Indigenous data governance.¹

The current K schedules do not have “Data sovereignty” or “Indigenous data sovereignty” in a caption, only as an “including” note under KIB1957 in Right to privacy under Law of indigenous peoples in Canada. Data sovereignty is “linked with indigenous peoples’ right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as their right to maintain, control, protect and develop their intellectual property over these.”⁴ Jolande proposes the following class numbers for these topics in the KI schedule (Law of indigenous peoples):

KI193 Collective rights and interests in indigenous data/Indigenous data sovereignty
   Including ownership, governance, and access
KI195 Traditional cultural expressions and customs
   Including art, music/song, storytelling, ceremonies, etc.
KI196 Ceremonial and funerary artifacts
KI197 Archaeological/historic sites, burial grounds, etc.
KI4.5.R4+ Rights and interests in Indigenous data (Data sovereignty)
KI70.3 Collective rights and interests in Indigenous data. Indigenous data sovereignty
   Including ownership, governance and access

Note: works on indigenous peoples and intellectual property currently has a class number K1401.5 in the general comparative law schedule. Jolande proposes adding KI193 within the Intangible personal property range in the indigenous law schedule and converting K1401.5 to the new KI193.

The other proposed new class numbers for related works in the general K schedule (Law in general, Comparative) also include:

KI401.7 Personal data. Rights and interests in data (Intangible personal property)
   Including ownership, governance, and access
Cf. K 929 (Violation of privacy) under Torts
KI443.5 Rights and interests in personal data
KI443.5 is proposed under Copyright for works on personal data as a type of (intangible) intellectual property. Jolande points out that US Law does not yet consider digital personal information/data in computer systems as a category of (intangible) intellectual property. An equivalent of K1443.5 for the general United States law schedule (KF) has not been proposed.

Data privacy/Data protection
The general non-legal class number for Data privacy is HD30.3815. Jolande proposes adding the following new class numbers for data privacy and protection to be reflected in K schedules:

K929 Personal data in information retrieval systems and online (Data protection)
K929 is proposed under Torts in respect to the person. Once approved, violation of data privacy should class in K929 instead of the established K3264.C65 (Computers and privacy in Human rights) since torts do not class in human rights.

K630 Privacy
K630 is proposed under Personality and moral rights in general for the general K schedule. Works related to civil status, personality, and moral rights should class in K630 (once approved).
KI154 General works (Delicts, torts)
KI154.2 Violation of personality rights (General)
KI154.4 Violation of privacy. Violation of data privacy. Personal data in information retrieval systems and online (Data protection)

KI154 is proposed for general works under Delicts, torts in the KI schedule (Law of indigenous peoples in general). Works on violation of data privacy should class in KI154.4.

KI123 Privacy
KI123 is proposed for (data) privacy in indigenous law. In the general KI schedule, KI123 would go under “Particular branches and subjects of the law” among many other subjects. It might be advisable to provide more instructions that would help decide between classing a work in KI123 or KI154.4.

KF469 Privacy
Including data privacy
KF469 is proposed to be established under Personality rights of natural persons. Note the KF schedule has established class numbers for torts/violation of privacy (KF1262-1263).

KF5753.3 Data protection (Data privacy). Freedom of information
KF5753.3 is proposed to be used for works on data as government property. “Freedom of information” is currently used in the broader KF5753. Jolande proposes moving the caption phrase to the proposed new class number KF5753.3 and editing KF5753 to be General.

Other proposed new class numbers for data privacy and protection within the regional scope (North America, Central & South America) also include:

KIA 4.3.P+ (Right to Privacy)
KIA 4.4.V5++, to include Personal data in information retrieval systems
KIM 50 (Privacy. Personal data privacy)
KIM 58 (Violation of privacy and data privacy)
KIM 58.2 Personal data in information retrieval systems)

The concept of indigenous data sovereignty and data privacy are gaining momentum in the digital data landscape. Although the discussed proposals in the K classification schedules have not yet been officially approved, it is important for catalogers to deepen our understanding of this evolving topic and keep an eye out for the new establishments in the K schedules.

Notes
   http://nni.arizona.edu/application/files/1715/1579/8037/Policy_Brief_Indigenous_Data_Sovereignty_in_the_United_States.pdf
   “United States Indigenous Data Sovereignty Network.”
Now that we are (hopefully) entering the Post-Pandemic World, my library has begun evaluating resources for either renewal or for discontinuation. Our newspaper collection is one of those resources. In print, we subscribe to national newspapers (New York Times, Wall Street Journal), local newspapers (the Raleigh News and Observer), and professional newspapers (North Carolina Lawyers Weekly), among others. We are still maintaining this collection in hopes that it will eventually resume the popularity it had pre-Pandemic. We may reconsider this decision if our patrons still express a preference for online news.

One big lesson we took away from the Pandemic was the value of maintaining an online newspaper collection. Prior to the Pandemic, we relied primarily on Lexis Academic (now Lexis+) for its robust collection of news sources. Throughout the quarantine, however, we made use of other newspaper databases, including those available to us through our main campus library. ProQuest U.S. Newstream (New York Times Late Edition, East Coast and Online Edition) and EBSCO Newspaper Source Plus were the two most popular, although ProQuest International Newstream came in handy for international papers, and North Carolina’s digitization project (DigitalNC) also helped with finding older articles from local newspapers. Finally, Ancestry.com’s North Carolina Collection was helpful, especially for those newspapers not involved in the North Carolina digitization project, but unfortunately, we no longer have access.

We also learned that digital newspaper coverage varies when it comes to print and born-digital news. For example, our ProQuest New York Times Late Edition, East Coast contains all articles, whereas the New York Times Online Edition appears to only contain a selection of articles. Although I have yet to do a full comparison of availability, other libraries, such as the University of Wyoming, have also noted this subscription difference. Lexis+, the other database we use for online New York Times access, has the following disclaimer in its Source Description: “Access to certain freelance articles and other features within this publication (i.e. photographs, classifieds, etc...) may not be available. Certain freelance articles previously available have been removed by LexisNexis pursuant to the publisher's directions.”

Potential copyright infringement or publisher discretion are understandable reasons for lack of access. However, when it comes to born-digital news sources, there may be a third reason. A 2019 research report from the TOW Center for Digital Journalism at Columbia’s Graduate School of Journalism found that the majority of 30 news outlets were not actively preserving their digital-only content. Even more interesting was that these news organizations were relying on proprietary organizations like ProQuest to control what was archived without articulating journalistic or archival standards. So, it is possible to have subscription access to a newspaper database and still not have comprehensive coverage within the date range to its born-digital content.

Sporadic access to born-digital articles is only one issue when it comes to researching newspapers online. The librarians at the University of Oxford Bodleian Libraries have created a LibGuide articulating some of the most common problems when doing research in both historical and current newspaper databases. Besides acknowledging the potential for missing born-digital content, they also include formatting and layout issues between vendors, poor quality in digitization and scanning, and inconsistency in search and export features.
For the present time, our library will continue to use a multiplicity of online newspaper resources, at least until the holes in digital coverage are mended. You can read the full 2019 TOW Center for Digital Journalism at Columbia’s Graduate School of Journalism report, *A Public Record at Risk: The Dire State of News Archiving in the Digital Age* at https://www.cjr.org/tow_center_reports/the-dire-state-of-news-archiving-in-the-digital-age.php.


---

**THE INTERNET**

Institutional Software Approval Processes

*Wilhelmina Randtke*

*Georgia Southern University Libraries*

**Introduction.**

One of the growing trends in large organizations, including the universities and colleges I have worked with, is more centralized control of software and formal approvals for use of software. This is driven by increasing awareness of privacy and data issues around software. This article is a discussion of potential pressures that an approval process puts on the type of software that can be approved at all and potential weaknesses in a software approval process.

**History of organizational software approvals: Internet exposure necessitates software screening for security issues, beyond screening for purchase price.**

Long ago, software wouldn't necessarily have gotten an approval separate from the physical computer. For example, the first generation of Macintosh computers came bundled with basic office software, and separately purchased software was for specialized applications like animation.\(^1\) When computers became more common, to the point where there was a market for a variety of software, it might have been the case that software purchases were looked at for procurement issues only - pricing and what kind of competitive selection process software had to go through for procurement.

The transition from computers being stand along devices to computers being integrated with the Internet has been gradual. Over the past 30 years, Internet connectivity has become the norm, then software has transitioned online to a cloud computing model or to desktop software that regularly communicates with the vendor via the Internet, or even cloud-based software which runs online and is available to the personal computer over an Internet connection. To use the current version, many dominant software programs today require information to flow back and forth over the Internet. As of this year, Windows 11 requires an Internet connection to activate.\(^2\) Adobe Acrobat Professional requires connecting to the Internet every 30 days to reactivate the license.\(^3\) Microsoft Office 365 requires connecting to the Internet every 39 days.\(^4\)

Essentially, a significant amount of software today either automatically connects with the manufacturer for regular check-ins over the Internet or is entirely web-based. Either way, there's a regular flow of information both ways. And computers practically have to be connected to the Internet in order to function, so even software that doesn't require an Internet connection has access to the Internet. This means that there is the potential to have information flow in and out of the organization. Poorly designed software can inadvertently expose information to the Internet. Malicious software can send information out of an organization. And cloud-based software is just someone else’s computer.
Centralized control of software within organizations.

Over time, there has also been more awareness in administration of large organizations and governments about the implications of software. For example, reviewing software contracts based on the type of information that will be shared out rather than on monetary procurement thresholds. A trend in trying to manage the possibility of software sharing information over the web is to centrally screen software within an organization and only allow approved software.

This article is about the implications of different approaches to how centralized software approval processes are handled.

Aspects of a software approval process.

Whether to have a software approval process at all.

All institutions I have interacted with have some limitations on what software can be installed. Believe it or not, not all institutions have a software approval process. This came up when I worked in the central consortium in Florida and did tech support to various libraries. Some campuses couldn't install software independently and essentially had an approved list of software from campus but couldn't go outside of that. Having no approval process at all gives clarity and maybe saves time versus navigating a clunky process that results in denial. In general, though, it has the downside of having no flexibility.

Whether to have the same approval process for all software.

Cloud-based software is different from desktop. Software for doing simple math is different from software for storing and saving information for later. Giving the same approval process or having the person requesting software fill the same form regardless of what the software will be used for means the initial form or information requested will be complicated because it has to cover the most complex, most dangerous situation. Someone wanting to install a driver for a device will have the same initial form or questionnaire as someone looking to load all the HR info about the employees to the cloud, and that initial form or questionnaire will be long. A longer initial questionnaire or form is more complex for people to navigate. Meanwhile, providing multiple paths to approval, depending on what will be installed, means that finding which process to use (which form or questionnaire to use) adds complexity. Having one long process that everyone knows to use might be simpler than having multiple processes and trying to set things up to let people self-sort into the approval process for what they need.

A difficult process encourages people to circumvent it.

One of the benefits to a central software approval process is that, if the approval process is universally followed, there's a way to know across an organization what software people have installed and what cloud-based services they have registered for. Even if the approval process is as simple as getting the name of the software, then rubber-stamping a yes to everything, it has the benefit of making it possible to know what's going on and who has installed what. Likewise, a process that is difficult to comply with (requires reporting lots of information or filling multiple long forms, has a low approval rate, or requires a lot of time to navigate) will result in people avoiding the process and circumventing approval. A simpler process may be better than a complex process because simplicity encourages compliance.

The vast majority of us are not structuring approval processes but rather are navigating them and trying to get tools to do day-to-day work. If a process appears to be onerous and strict, it’s likely that it will not be applied as written and that the people applying that process and issuing approvals are under tremendous pressure to rubber-stamp things so that people across the organization continue to report rather than circumvent the process.
Whether to examine software versus examining the license or contacting the manufacturer for information.

The trend I have seen is for software approval processes to either examine the license to see what it says about private data or to have a set of questions and expect to be able to contact an office and ask about the software. The organization I’m now at has an approval process which anticipates someone from information security contacting the paid staff privacy office within each software company and asking a list of questions about past data breaches, 5-year plans, etc. Alternatively, with software, it's often possible to examine the software, and that approach seems to be disfavored. There are two issues going on with this choice of asking the company versus examining the software. First, with actual malicious software, the license doesn’t matter. And with actual malicious software or phishing schemes, they even will call you or chat you up online, and it's not too much of a stretch to imagine a phishing scheme that lists an office number specifically to discuss software and data privacy issues. Second, there's a significant amount of software that is made by individuals. A software approval process that reads a license can be compatible with these software programs since standard licenses are available. However, expecting to contact and ask questions about the software is not. For example, consider MARCedit. It's tremendously valuable in the library field. It's also programmed by one person. The idea of an organizational approval process that involves contacting the software company and gathering information about privacy practices is geared towards large software companies and is incompatible with software developed and released by one person.

An alternative approach is to examine the software. This is not a trend I have tended to see in organizational software approval processes. Examining the software requires someone to take the time and focus to do the examination, and requires a higher level of technical skill, which might be hard to find. It's likely harder to find someone with the skillset to examine a piece of software than it is to find someone with the skillset to phone a corporate office and ask a list of questions. However, it probably is necessary to have a process that anticipates examining the software in order to allow the use of a wide variety of software programmed by one person or small companies. Not having that process precludes software approval for software from individuals or small companies. Something important to say is that examining the software isn't necessarily looking at code. MARCedit is not open source. It's not possible to get the code. Xenu Link Sleuth also is not open source. There are still instructions and looking at reputation, such as published studies that used software. For example, a Google Scholar search shows 19 articles that cite Xenu Link Sleuth published since 2018, and looking through those hits shows that it was used as a tool for published analyses of websites, rather than discussed as an example of notorious bad software.

This is really important because having an approval process that requires a software program to be made by a company large enough to have an office and dedicated staffing for answering questions will mean that only software made by large companies can propagate and be installed. It's not just isolated organizations that are doing central control and approval. Approval processes are now the norm, so trends in approval processes will determine what software can be used at all. Bureaucracy favoring larger companies is not a new issue, since almost everyone can relate to being unable to purchase something in the past because the company couldn’t issue purchase orders or deal with organizational purchasing. The type of approval process can be another layer of that, however.

**Conclusion.**

I hope this helps to think through issues with how organizational software approval processes are impacted by and impact the bigger picture. Because all computers practically have to be Internet-connected today, all software potentially can send information out of an organization over the Internet. Hence, organization-level software approval processes are now the norm. Some kinds of approval processes, notably not allowing any approvals outside of a predefined list or approval processes that anticipate contacting the company that makes the software, will block out useful software programmed by individuals.


⇒ The Library of Congress recently replaced the subject heading “Illegal aliens” with two new headings, “Noncitizens” and “Illegal immigration.” Using a combination of automated processes and OCLC Quality Control Staff, OCLC has been working to update these LCSH terms in OCLC records. Since “Illegal aliens” is a class of persons, OCLC is taking care to apply subdivisions correctly. Subdivisions used only under classes of persons will be copied to “Noncitizens” but not to “Illegal immigration.” FAST headings will be updated similarly in a separate process.

⇒ There was an OCLC Cataloging Community meeting on January 28, 2022. The first part of the meeting featured three presentations on diversity, equity, and inclusion. Adrian Williams spoke about Homosaurus, Misty Alvaro spoke about DEI in public library consortia, and Cynthia Whitaere spoke about DEI at OCLC. The second part of the program was an OCLC update. David Whitehair gave an OCLC Metadata Services update, John Chapman and Petra Löffel spoke about WorldShare Record Manager, and Cindi Blyberg and Marcie Burton spoke about Worldshare Collection Manager. Robert Bremer spoke about changes to LC subject headings for Aliens and Noncitizens. Recordings and slides are available on the OCLC website: https://www.oclc.org/go/en/events/cataloging-community-meeting/january-2022.html

⇒ The OCLC Global Council in cooperation with OCLC research will be presenting three upcoming webinars on Libraries and Open Ecosystems:

1. **Creating a New Model Library**
   Monday, 28 February, 11:00 am – 12:15 pm US Eastern Time (UTC -5)
   Join Brittany Brannon, Research Support Specialist, Library Trends and User Research, and library leaders from OCLC’s Global Council for a discussion on emerging library models. This session will focus on changes made both before and during the pandemic that influenced leaders’ visions for their libraries during the next five years. Join us as we discuss these transformations toward a New Model Library and how library leaders can strategically adapt to anticipate evolving needs and expectations.
   Register: https://www.oclc.org/en/events/2022/open-ecosystems-creating-new-model-library.htmlINAR
2.  **The library’s role in open research**  
Wednesday, 16 March, 11:00 am – 12:15 pm US Eastern Time (UTC -4)  
Join Ixchel Faniel, Senior Research Scientist, Library Trends and User Research, and library leaders from OCLC’s Global Council to discuss the library’s role in open research. The session will provide an opportunity to pause and reflect on what we know about researchers’ data sharing and reuse needs and what libraries are offering to support them. The discussion will include ideas and suggestions about future planning for library leaders who wish to further advance the goals of open research. 

3.  **Metadata challenges and opportunities in the open ecosystem**  
Wednesday, 13 April, 11:00 am – 12:15 pm US Eastern Time (UTC -4)  
Join Rachel Frick and Merrilee Proffitt, OCLC Research Library Partnership, and library leaders from OCLC’s Global Council as they discuss the Reimagine Descriptive Workflows project. This project convened experts, practitioners, and community members to determine ways of improving descriptive practices, tools, infrastructure, and workflows in libraries and archives, and created a community agenda to draw together insights from the convening along with related research to chart a path forward in this work. Join us for discussion that will include an opportunity to reflect on what library leaders can do to move this important work forward. 

---

**Preservation**

**Integrated Pest Management**

Lauren Seney  
University of Colorado

As we move towards spring and ALA’s annual observance of Preservation Week in late April, I’ve turned to think about some of the external factors that impact our collections. This was partially prompted by a recent conversation about a variety of library pests (specifically roaches/water bugs, ants, scorpions, bats, termites, and rodents). I have personally encountered only some of these, though can add silverfish and spiders to this [non-comprehensive] list. Looking at the wide range of pests, it’s easy to say that your climate directly impacts the ones you encounter. In looking for ways to discuss this, my research brought me to environmental monitoring, specifically the topic of Integrated Pest Management (IPM). While we may not be able to control where our libraries are built, or the types of landscaping around them, there are aspects of IPM that everyone can implement.

Many of us have spent significantly less time over the last two years in our physical library spaces, and thus may have unintentionally given pests a chance to make themselves quite comfortable. On the flip side, this likely also means there were fewer patrons in the library and thus fewer opportunities for food and drink waste to tempt many types of pests. While this lack of food waste may do less to attract rodents and ants, there are, unfortunately, several types of pests that thrive off eating the materials on our shelves. Insects such as cockroaches and silverfish will happily snack on components of books instead and may have thrived in the absence of our patrons.
So, what can we really do about it? Workplaces have shifted, and on-site staffing may never return to what it was in the past. With the potential for fewer staff in the building at any given time, passive solutions to identifying pest problems may be the best way to go. Glue traps are one of the easiest approaches to this. You need only set them out in places that are hospitable to pests, such as near windows and doors, as well as near drains and sources of water, and then check back on a consistent basis. If your institution sets a regular schedule to collect and replace the traps, as well as to inventory the bugs found in them, you may be able to head off pest problems before they arise, develop a more in-depth approach to pest management, and identify places in the stacks where regular review of the materials should be conducted to check for damage caused by these unwanted visitors.¹ Training multiple members of your staff on this process as well as compiling the data into a shared document can make this a routine that can be maintained over time.

It’s also important to monitor the physical condition of your building and check to make sure windows are closed and their seals are still functional, that screens are in place on windows and vents, pipes are properly wrapped and insulated, and that there are no leaky drains, roofs, or subterranean ceilings. If your library has not had many people in it over the last two years, these should be viewed as a priority to ensure the safety of your collection, especially in places where water can get in as it can have a quick and significant impact on your collections even without the pests that may come with damp areas. One final thing to consider when thinking about unwanted insects and animals is the plants in your building. If they didn’t survive the last couple of years, you might want to think twice about replacing them as they can provide both a hideout and additional food source for many of our everyday pests.² You could also consider moving plants into a couple of designated, easy-to-monitor areas.

This column started by mentioning larger pests, such as rodents and bats. There are trapping options for these larger pests, and it’s important to remember that they leave more visible signs of their presence. Checking and maintaining the same entry points as above should significantly reduce the potential you will have them in your building, but it’s also important to note that setting up a maintenance program to address possible insect populations will not replace regular assessments of the physical space and materials for signs of a problem.

If you’ve noticed a large decline in pests over the last two years, there’s likely a good reason to suspect that it was tied to the food and drink policies at your library. Looking forward, this might be an opportunity to revisit those policies and have potentially difficult conversations about them, which includes anecdotal evidence that has been collected since the spring of 2020.

Whatever the changes you make in monitoring your library for pests, it’s important to make all of your staff aware of the signs that something is awry as well as to educate them on what policy changes will ensure the longevity of your materials.


² https://www.nedcc.org/free-resources/preservation-leaflets/3.-emergency-management/3.10-integrated-pest-management
Prior statements that this column would transition to a review of recent published research notwithstanding, this quarter it is again about spreading awareness of some resources for improving one’s ability to engage in research and publications.

In the fall of 2021, I learned about (hat tip to Mitch Silverman) a free scholarly writing webinar series, produced by QSR International, a company that produces research data management software called NVivo. This series included four webinars: (1) Humanize the Research Writing Process, (2) Developing Your Scholarly Voice: How to Paraphrase, Make Claims, and Synthesize Literature, (3) Publish and Persevere: Writing and Representing Qualitative Research, and (4) Completing a Service-Oriented Dissertation or Thesis: Key Considerations for Success. I was able to attend two out of the four, and I found real value in them. The intended audience is certainly not law librarians, but rather graduate students or early career tenure-track faculty for whom publishing research is a core job requirement. Therefore, I think these webinars could be quite useful for building confidence among librarians who may not have conducted and published original research before. I assume this is not uncommon; my library degree did not require a thesis, and I know many other colleagues who had similar experiences. In the webinar “Developing Your Scholarly Voice,” speakers talked about analytical tools and even mnemonic devices for making sure scholarly writing includes the proper evidentiary basis for assertions, and they provided many specific examples. In “Publish and Persevere,” the speaker dove deep into specifics about recommendations for writing the abstract and title for your article (among many other things) -- a topic I have never seen treated so thoroughly and helpfully before.

The webinars I watched did not include any promotional material for QSR International’s products (other than the logos). There is another set of videos on the website that does include demonstrations of their software; these are found in a section labeled Scholarly Writing Institute. For people who are looking for encouragement, models, tools, and support, I think these videos are worth a try if you can tolerate some promos in your scholarly publishing tips.

There is another live webinar series this spring, with titles “Psychological Tools for Writing Productivity,” “The Ins and Outs of Dissertation Writing: Organization, Transitions, and Scholarly Language,” and “Qualitative Research Thesis and Dissertation: Effective Writing and Advising Strategies.” Information about this webinar series and links to register are online at https://www.qsrinternational.com under the NVivo Blog.
On February 3, 2022, the Winter webinar presented in the Technical Services – Special Interest Section (TS-SIS), “Documentation: Downloading Our Brains for the Greater Good of the Library,” covered the basics of the what, when, who, why, and how of documenting library workflow and information, with a useful checklist of a suggested documentation process. The speakers also provided templates for formatting written documentation. The speakers’ slides and templates are in the files section under the webinar details in the TS-SIS My Community at https://community.aallnet.org/communities/community-home/librarydocuments?communitykey=804c19c8-3fcc-4a78-b68fe734d854a6dd&tab=librarydocuments.

As the speakers mentioned, technical services lends itself well to documentation since the work often follows an order of steps to provide the most efficient result. Some time was spent discussing “exceptions,” and serials can be full of exceptions. One of the factors as to whether exceptions are mentioned in documentation or added to specific catalog records is how many exceptions exist for any one resource or process, the very meaning of “when the exception becomes the rule!”

There are certain times that seem to work better for the creation, review, and update of documentation. Recently, our firm experienced one of those: the onboarding of new staff. Before the new staff started, we reviewed the documentation related to the essential functions of the new person’s position, with the goal of having it updated before the start date. This process involved editing/drafting by the person who performed the task most recently, review by supervisors, and linking to referenced documents and larger procedures manual. No less than three or four people were involved in this update. This is a sure way to ensure the content is thoroughly reviewed, but also to reinforce the importance of the investment of staff time. Management “buy-in” affirms that they see the value of documentation as an essential tool of library workflow.

The next step in our onboarding case was to examine the tasks that would start approximately one month into the job. As the new staff mastered the essentials, we introduced new tasks with new procedures. By this time, we became more familiar with the new staff member’s learning style. As the webinar mentioned, everyone learns differently, and how people retain instructions and training varies. For this reason, documentation can be supplemented in multiple formats besides written procedures/checklists, lists, or worksheets. Examples include training videos, especially for tasks that are easier to understand through demonstration, photos or illustration, or interactive modules that mix written and illustrations in a step-by-step format. In our case, the new staff person reviewed written instructions, had someone demonstrate the process, then tried it alone, using the procedure as a guide. We built in a follow-up process where we asked for feedback on the process: what worked best, what was confusing, and suggestions for improvement. Then we updated the procedure. As we demonstrated the process, we mentioned exceptions and where to check to see if there was an exception documented. We reinforced the use of documentation and the importance of it remaining current and accurate to the new staff, so they would see their role in keeping it updated. We demonstrated how the documentation was used by multiple teams and impacted others’ workflow.

As changes affecting workflow are implemented, we now update the procedures at the same time. Examples include changes to the catalog or serials module due to a vendor update, changes in titles by the publisher, or changes in retention or cancellation of titles by the institution. Recently we opened an office in a new city. While we have a minimal library there with no substantial impact on our main processes, we still had several places in documentation to update,
such as lists of locations or funding codes. Addressing the documentation at the time of the change gave us another opportunity to proactively review and update documents.

We demonstrate the value of current and accurate documentation as it applies to all staff and processes through an investment of the time it takes to maintain an archive of documentation. In this way, our unit has been a “role model” to other teams. Since many of our procedures are checklists or step-by-step, we can easily show how to draft, test, and review documentation as part of our essential work tasks. The webinar addressed the issue of how to get staff committed to documentation and want to do it. Some of the factors preventing this are the idea that it will take too much time, staff doesn’t know how to start, or that staff is overwhelmed by the task. Some webinar participants commented about how they incorporated documentation as part of the job and hold staff accountable for the task as with any other task.

Another scenario I’ve experienced is to assign a point person for assisting with drafting and updating documentation. At the onset, the point person “interviewed” every staff member to identify essential tasks, reviewed existing documentation, and suggested drafting new documentation. The point person took notes and started a draft, with the staff person reviewing and editing, then the point person produced a final draft. It was a truly collaborative effort that eased the staff person from any burden of solo drafting, formatting, or editing. The point person was familiar with most, if not all, of the library teams and their major responsibilities and truly enjoyed the process of technical writing and interviewing during the collaboration.

Personally, I love technical and business writing and welcome the opportunity to document workflow, update records and training documents, and provide a snapshot of business operations in the form of annual reports or strategic plans, but I know this feeling might be unique. Documentation is a form of communication, and workflow is benefitted from being clear, accurate, and current. I recommend reviewing the templates and slides from the webinar as a resource for starting a documentation project or as another resource to consider for established documentation tasks.
What a period of change in our subject headings! A list of each changed heading of interest to law catalogers would require a document in excess of twenty pages. Better to begin by discussing groups of changes and refer readers to the last four months of the web document Library of Congress Subject Headings (LCSH) Approved Lists for further details. The most dramatic change comes in the area of immigration law. “Illegal aliens” has finally been changed to “Noncitizens,” with the addition of the heading of “Illegal immigration” in each case. The former headings “Aliens” share the same term, “Noncitizens.” Those libraries who use authorities vendors or who receive updated bibliographic records from OCLC will have little to worry about, although there has been talk of the new heading “Illegal immigration” being subdivided by terms applicable to classes of persons. “Illegal immigration—Health and Hygiene,” for example, would not pass muster yet may result from automated handling. The terms “Aliens” and “Illegal aliens” were common to immigration law. Some manual sampling of the many changes might be in order.

Another significant change is “Blacks” to “Black people” and “Whites” to “White people.” This change has caused many changes to authority records as well as bibliographic records, as these are often used as broader topic or related topic references in other subject headings. A final large group of changes is worthy of note. Many branches of law were formerly qualified with “(Primitive law).” This qualifier has changed to “(Customary law).”

The former heading “Freedmen,” common in U.S. history textbooks for persons formerly held in slavery, is now “Freed persons.” Perhaps this reflects concerns about gender neutrality. An unnecessary concern in this case? Whatever your views, be sure to consult the last few months of new Library of Congress Demographic Group Terms. This thesaurus has expanded significantly since it was re-opened. “Indian Americans” has been established there, for example.

On to terms of general interest. In the area of classes of persons, we have “Inspectors general,” “Racially mixed teenagers,” “Sexual minorities, Romani” and “Women litigants.” “Afghan American young women” and “Afghan American women social reformers” may be used. The term “Crypto-Jews” and “Crypto-Jews (Jewish law)” have replaced earlier terms describing Jews who nominally converted to another religion but who maintained their Jewish identity in the home. The earlier terms often referred to expressions used to describe such Jews in a particular country or region. “Unemployed middle-aged persons” seems plain enough. We may now use “Ethnographic shows” and “LGBT community centers.”

Strictly legal headings include “Basic income—Law and legislation” and “Consumer goods—Maintenance and repair—Law and legislation.” “Dual class stocks—Law and legislation” and the more interesting “Forced marriage—Law and legislation” appeared, as did “Gig economy—Law and legislation.” “Meetings” now takes “Law and legislation.” We may now use “529 plans” and “529 plans—Law and legislation.” “Early voting” has been established, as has “Murder-suicide” and “Pandemics.” Two new terms for Roman law are “Fines (Penalties) (Roman law)” and “Forfeiture (Roman law).” “Alaska Native corporations—Law and legislation” will prove useful, and the new term “Greenwashing” has legal implications. It is defined as “creation or propagation of unfounded or misleading environmentalist messages or images.” “Vacation rentals” now takes “Law and legislation,” as does “International crimes—Finance.” “Vaccine mandates” are causing uproars in some quarters; “White nationalism” in others. “Church shootings” make the news, as do “Copycat crimes.”

The prize subject headings of this issue are “One-hit wonders” and “Invented traditions.”
The COVID-19 pandemic has been disrupting library operations and services for close to two years. In a previous entry (http://tslltechscans.blogspot.com/2021/04/lessons-from-year-of-working-from-home.html), I wrote about disruptions to Technical Services workflows at my library. This time, I’m looking back on how the pandemic has disrupted our technological infrastructure and the changes we made to compensate.

First and foremost were the changes to our communications technology. Long reliant on email for most written communications, we had to find ways to replace the kinds of verbal conversations made impossible by the move to working from home. Enter Zoom and Teams. Almost overnight, we had to become proficient at video conferencing and screen sharing. We eventually settled on Zoom over Teams for large group meetings, finding that Teams was just not as stable a platform for those activities. Audio and video would break up and screen sharing would bog everything down. We did find a use for Teams as a place to store documents and as a chat client. Now that we’re back in the office, for the most part, we’re still relying on Zoom and Teams. Meetings of more than two or three people still feel safer over Zoom. Plus, there is the added flexibility of being able to connect from almost anywhere and the convenience of not having to travel to meetings. Teams is still used as a file repository interface and a chat client. I have found myself continuing to use Teams for quick chats, even though popping into someone’s office down the hall is once again an option.

The disruption to communications also affected how we respond to our library users. Prior to the pandemic, email questions from faculty, staff, and public patrons were managed via a series of email listservs and a subscription to Gimlet, (https://gimlet.us/) a service statistic tracking platform. There were a number of problems with that approach: email lists were siloed, and it was not easy to share information among them; we wanted a more robust tracking and tagging system; users were not always successful in sending questions to the correct email list. When the pandemic closed the library and pushed all reference questions to email, these issues became unbearable. After some research and consultation with other libraries, we migrated to LibAnswers (https://www.springshare.com/libanswers/), a Springshare product that allowed us to streamline online reference questions, share them as needed, and track statistics all in one place. In this case, the disruption caused by the pandemic accelerated us down a path we had only just begun considering. Ultimately, we ended up with a system better for users and staff.

Another example of pandemic disruption pushing us to improve services was our room reservation system. Even before the pandemic, we had been searching for a replacement for our study room reservation system which, at the time, was a very low-tech clipboard with a sign-up sheet placed at the circulation desk. We had already investigated a few room management systems available from the University but found they were not good fits for our small number of study rooms available only to law students. For us, the solution was another Springshare product, LibCal (https://www.springshare.com/libcal/) When the library began to re-open on a limited basis, LibCal allowed us to reserve not only study rooms but also the restricted number of study tables and carrels available in the library. That was a need we had not had prior to the pandemic. Another benefit of the new room reservation system is that it is completely online, reducing the number of users at the circulation desk, protecting our frontline staff from exposure.

We also were able to limit staff exposure by implementing our library’s first self-check machine. Unlike other changes caused by pandemic disruptions, a self-check machine had not really been on our radar previously. We’re a fairly small library with relatively low circulation, even at times of unrestricted access. With the pandemic reducing our hours and the number of users allowed in the building at once (and our desire to protect frontline staff as much as possible), the time was right for a self-check machine. After much research, the MeeScan kiosk system (https://meescan.com/) was what we finally settled on, for a variety of reasons including affordability, features, and integration with existing systems. The integration with existing systems involved a lot of collaboration among us, the
vendor, the university library, and university IT offices. Ultimately, we were able to implement a way for library users to have a contact-free experience while picking up library materials during limited hours. As pandemic restrictions have eased, the use of the self-check kiosk remained flat. However, we recently decided to take advantage of the self-check kiosk and move course reserve materials next to it, allowing for self-service by students. Usage is now going up.

Another service improvement for students spurred by the pandemic was the move to electronic document delivery. Students are able to request a limited amount of material be scanned and emailed to them. This has the additional benefit of limiting visits to the library, reducing the risk of exposure for both staff and students. Due to the demand created by this service, we had to replace our previous scanners with a more robust system. Again, after much research, we settled on a ScannX system. https://www.scannx.com/ We ultimately decided to purchase two scanners, one for staff and one for self-service located near the book stacks. As more students return to the building and as pandemic restrictions ease, the number of scanning requests is trending downwards. Whether scanning requests will be a service we continue to provide once we are fully post-pandemic remains to be seen.

However, the other technologies we’ve adopted due to pandemic disruptions to services are here to stay. In many cases, the pandemic response pushed us farther and faster down roads we were already on. This has led to better services for our users and improved workflows for staff. The pandemic has been difficult in every way and trying to implement service and technology changes in the midst of it was not easy. As we hopefully move out of the pandemic over the next several months, one of the silver linings will be the improvements we have made.

---

**Funding Research Opportunities Grant (FROG) Announcement**

**Hop to it!!**

Please see the following research opportunity, and Don’t forget the FROG!

It's Quick, It’s Easy, and Your Research Will Benefit Your Technical Services Colleagues.

The AALL LSRD-SIS and TS-SIS FROG (Funding Research Opportunities Grant) Committee is always accepting applications.

The FROG provides support for law librarians to perform research or assessment projects which will enhance our profession. FROG is open to all AALL members and must show evidence that their research will benefit technical services law librarianship. The LSRD/TS FROG Committee will award up to $1,000 in grants in a single year.

“AALL’s Strategic Plan envisions that AALL and its members will be the recognized authority in all aspects of legal information. AALL’s Research Agenda seeks to make that vision a reality by stimulating a diverse range of scholarship related to and supportive of the profession of law librarianship.” -- AALL Research Agenda 2013-2016.

For other research topic ideas, visit the FROG website and AALL’s Research Agenda page.

For more information on the grant and the application process, visit Grant Guidelines.

If you have any further questions, please email Jessie Tam at jessie.tam@mdcourts.gov, FROG Committee Chair.
TSLL EDITORIAL POLICY

*Technical Services Law Librarian* (ISSN 0195-4857) is an official publication of the Technical Services Special Interest Section and the Library Systems & Resource Discovery Special Interest Section of the American Association of Law Libraries. It carries reports or summaries of AALL annual meeting events and other programs of LSRD-SIS and TS-SIS, acts as the vehicle of communication for SIS committee activities, awards, and announcements, as well as current awareness and short implementation reports. It also publishes regular columns and special articles on a variety of topics related to technical services law librarianship.

Statements and opinions of the authors are theirs alone and do not necessarily reflect those of AALL, TS-SIS, LSRD-SIS, or the TSLL Editorial Board. AALL does not assume, and expressly disclaims, any responsibility for statements advanced by contributors. TSLL editors reserve the right to edit contributions for style and length. TSLL has the privilege to reproduce and distribute authors’ contributions as part of the issue of TSLL in which they appear. All other rights remain with the author. Prospective authors should contact the editor for content and style information.

© 2021 American Association of Law Libraries.

Publication Schedule

Issues are published quarterly in March, June, September, and December.

Deadlines (each vol/year):
- no. 1 (September) ............... August 21st
- no. 2 (December) .......... November 21st
- no. 3 (March) .................. February 21st
- no. 4 (June) ..................... May 21st