I. Background

In November 2009, ASERL\(^1\) members representing both regional and selective Federal Depository Libraries affirmed that the federal documents collections in the Southeast Region\(^2\) are...
are valuable assets for the holding library and the state where each collection is located. They also acknowledged that these collections are an asset to the Southeast Region and agreed to plan collectively for management of federal documents held by ASERL libraries, in collaboration with other Federal Depository Libraries in the 10 state region represented by ASERL, as well as the Virgin Islands and Puerto Rico. 

There is also agreement within ASERL that the best means of providing broad public access to these collections is through online access to digital and digitized copies. Management of the tangible collections should include efforts to support or participate in initiatives to create a comprehensive, authentic digital collection in the public domain. This will complement efforts to manage the tangible collections held by depository libraries in the Southeast Region.

One objective for improved management of the tangible collections is to gain consensus on policies and best practices for disposition of federal documents that will simplify and streamline the process and address collection management throughout the Southeast Region, while remaining in compliance with 44 U.S.C. Chapter 19 and policies of the Superintendent of Documents at the U.S. Government Printing Office (GPO).

On April 22, 2010, this document was reviewed and the proposal was adopted unanimously by ASERL library deans and directors at the ASERL Spring Membership Meeting in Atlanta, Georgia. This document is being released to Federal Depository Libraries in the Southeast Region, as well as others with an interest in the FDLP and public access to government information, in order to obtain their comments and suggestions.

The following pages represent a draft proposal to establish a common set of collection management and disposition policies and procedures, and documented best practices. Ideally, elements of this proposal can be agreed to and implemented rapidly. However, if some elements of the proposal require additional investigation or a pilot project to test the efficacy, this should not delay action on those elements where there is substantial consensus.

II. Planning for Federal Documents Collections in the Southeast Region

Although Regional Depository Libraries are not required by law to build retrospective collections or to replace items that are lost, stolen or damaged by a disaster, individual Regional Libraries may seek to replace missing items or build their retrospective collections to meet institutional, local, state or regional needs.

It is well understood and widely accepted that there is considerable variance in the holdings of Regional Depository Libraries. There are many reasons for these differences, including the date

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3 The University of Florida serves as the Regional Federal Depository Library for Florida, the Virgin Islands and Puerto Rico, so the selective depository libraries in the Virgin Islands and Puerto Rico will be included in the ASERL initiatives for collective management of federal documents.
for becoming a Federal Depository Library; the date for becoming a Regional Depository Library; items never received; items lost, stolen or destroyed; etc. Planning for regional federal documents collections is made more difficult by the fact that most pre-1976 documents are not cataloged, making it difficult to compare holdings and assure comprehensive collections. Selective Depository Libraries currently make decisions about disposition of items without the assurance that the items they discard are and will remain available through other depository libraries.

1. Defining a Comprehensive FDLP Collection
A major obstacle to establishing comprehensive collections at Regional Depository Libraries is the absence of a clear definition of what constitutes a comprehensive FDLP collection. In general, the scope of a comprehensive FDLP collection is considered to be all publications distributed as part of the Federal Depository Library Program (FDLP) and its predecessor programs. However, there are “fugitive documents” that were within the scope of the program, but were not distributed for various reasons as well as items that were exempt from the program, but which have historical and research value. Some of these publications have become part of Regional Depository Library collections through means other than distribution by the Superintendent of Documents.

Example 1: The Patent and Trademark Office and Atomic Energy Commission both maintained their own depository programs and distributed materials independent of the FDLP. Some Federal Depository Libraries also participated in these agency specific programs and therefore have collections of these publications.

Example 2: Historically, publications from regional offices of federal agencies were often fugitive documents. However, those regional offices frequently distributed their publications to local libraries, including Federal Depository Libraries.

Example 3: Contractor reports and other results of federally funded research were not consistently made available through the FDLP, but some research libraries actively acquired these materials and have them in their collections.

There is a strong consensus that the Superintendent of Documents should support management of depository collections by identifying or creating cataloging records for the retrospective (pre-1976) publications that are included in the FDLP. This would provide an official definition of the contents of a comprehensive FDLP collection, both for management of tangible collections and for digitization. Depository Libraries could augment this set of records by creating records for relevant items they have obtained from other sources, though these would not necessarily become part of the official comprehensive FDLP collection.

The cost of cataloging and inventorying tangible federal documents collections requires a substantial investment that is beyond the ability of any individual Regional Depository Library in the Southeast Region. While it will be less expensive when a comprehensive set of cataloging records is provided by the Superintendent of Documents, it will remain a significant expense and therefore an unattainable goal for the foreseeable future. The acquisition of all missing items, assuming they can be found, is also an expense beyond the resources of the Regional Depository Libraries in the southeast.
2. Establishing Comprehensive FDLP Collections in the Southeast Region

Recognizing that no Regional Depository Library in the southeast can afford to catalog and inventory its entire federal documents collection, the Regional Depository Libraries agree that it is essential to improve the management of these important collections by collaborating to transform twelve poorly documented and incomplete collections into the equivalent of two well documented, comprehensive FDLP collections. This will ensure that the region includes at least two complete cataloged sets of print publications and maps distributed as part of the Federal Depository Library Program and, to the extent possible, its predecessor programs. Libraries may choose to include additional materials beyond the scope of the FDLP.

This does not imply that there will only be two Regional Depository Libraries in the Southeast Region. Rather, it means that among the Regional Depository Libraries in the southeast there will be collaboration to take responsibility for cataloging a portion of the collection and for retrospectively acquiring the items necessary to make that portion as complete as possible within the limitations of available content and resources. Responsibility for portions of these comprehensive collections may be shared by Selective Depository Libraries in the southeast. This is a major effort that will require many years.

The following guidelines will be followed in this effort:

A. Preference for Original Printed Documents

Due to concerns about the lack of availability of preservation-quality microforms, wherever possible an original printed document will be obtained. When that is not possible, an effort will be made to obtain a print facsimile or microform. When the originals are not available, links to or locally hosted digital reproductions may also substitute for original printed documents.

B. Retention of Superseded Publications

While the Superintendent of Documents permits Regional Depository Libraries to discard superseded publications, the Regional Libraries in the Southeast Region agree to keep at least two print copies of each superseded item to ensure that these materials will be available for historical research and other purposes, including digitization. This responsibility will be shared through a voluntary review of superseded items and a determination of which Regional Libraries already have significant historical collections of superseded items and are willing to expand them into comprehensive, cataloged sets.

Example 1: The Code of Federal Regulations (CFR) is superseded each year as updated titles are published. Yet there is significant historical and legal value in knowing what regulations were in place at a given point in time. Maintaining at least two complete print sets of the historical CFR volumes through Regional Libraries in the southeast will ensure future availability. If none of the Regional Libraries have retained the historical print CFR titles, an effort will be made to obtain the titles from Selective Depository Libraries or, alternatively, to ask a Selective Library to commit to maintain

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4 Determine if microforms should be included. If they are to be included, determine if this should preclude microfiche collections that duplicate print collections (dual distribution items).
its print collection in perpetuity or turn it over to a Regional Library when that is no longer possible.\(^5\)

C. Substitution of Microfiche and Commercial Products

Although the Superintendent of Documents allows the selection of microfiche in lieu of print for some titles and permits the substitution of commercial products for equivalent depository items, the Regional Depository Libraries in the Southeast Region agree to keep at least two print copies of each official federal publication to ensure that this material will be available for historical research and other purposes, including digitization. This responsibility will be shared through a voluntary review of dual distribution items and commercial products that may have been substituted for official print publications to determine which Regional Libraries already have significant historical collections of official print items and are willing to expand them into comprehensive sets.

Example 1: Congressional hearings are offered by GPO in both print and microform and Regional Depository Libraries are permitted to select either format. Hearings are also available in microfiche from commercial and not-for-profit sources and Regional Depository Libraries are permitted to substitute those products for either print or microform received through the Federal Depository Library Program. Maintaining at least two complete print sets of the historical hearings through Regional Libraries in the southeast will ensure future availability.

3. Collaborative Storage

ASERL is working on a collaborative storage initiative for a variety of materials, including print journals and monographs. As this initiative progresses, inclusion of federal documents should be considered where that can be done in compliance with 44 U.S.C. Chapter 19.

III. Centers of Excellence

The effort to develop comprehensive distributed federal document collections in the Southeast Region has already begun. Three Regional Depository Libraries in the southeast have already agreed to become Centers of Excellence for specific federal agencies. As such, they are cataloging and inventorying their holdings for those agencies and conducting research to identify other publications from those agencies that are missing from their collections. The Centers have committed to obtaining the missing items, if possible, in order to establish a comprehensive collection of publications from these agencies as a resource for their own university, the state and for the Southeast Region. In addition, the University of Florida has committed to the digitization and provision of online public access to the documents in its Center of Excellence collection.

Other Regional Depository Libraries in the southeast have agreed to use the cataloging records and inventory of missing items created by the Centers of Excellence to evaluate and catalog their own holdings. This will help to identify other publications missing from the collections at the

\(^5\) The University of Florida Legal Information Center is a selective depository library that has a complete retrospective collection of the CFR and is willing to maintain it and eventually transfer it to storage as part of the Florida regional depository collection.
Centers of Excellence as well as to document holdings for those agencies throughout the region.

Missing items from the Center of Excellence collections will become priority needs for the Southeast Region and the Regional Depository Libraries in the southeast will give priority to transfer of those items to the responsible Center of Excellence (See section V.5 below for an explanation of the disposition policy).

The three current Centers of Excellence are:

1. Works Progress Administration\(^6\) and related agencies: The University of Kentucky is a Center of Excellence for the Work Progress Administration (WPA) and its related agencies and is systematically collecting and cataloging all federal documents from those agencies.

2. Department of Education: University of South Carolina is a Center of Excellence for the Department of Education, excluding documents distributed by the Education Resources Information Center (ERIC), and is systematically collecting and cataloging all federal documents from that agency.

3. Panama Canal Commission and related agencies: The University of Florida is a Center of Excellence for the Panama Canal Commission and its predecessor agencies and is systematically collecting, cataloging and digitizing all federal documents from those agencies, as well as other federal documents about Panama and the Panama Canal.

Although the initial effort to establish Centers of Excellence has been focused on indentifying a single comprehensive collection for each agency, the expectation is that this initiative will lead to identification of another strong collection that could become the second comprehensive set for each agency in the Southeast.

IV. Disposition of Federal Documents in the Southeast Region: Basic Provisions

1. Legislative Requirements
The statute governing retention and disposition of print and other tangible materials distributed to selective depository libraries is 44 U.S.C. 1912, which states:

The libraries designated as regional depositories may permit depository libraries, within the areas served by them, to dispose of Government publications which they have retained for five years after first offering them to other depository libraries within their area, then to other libraries.

\(^6\) The Works Progress Administration was renamed the Work Projects Administration during 1939.
Under the same statute, **regional depository libraries** must:

…retain at least one copy of all Government publications either in printed or microfacsimile form (except those authorized to be discarded by the Superintendent of Documents).

2. **Retention by Selective Depository Libraries**
Selective Depository Libraries must retain all tangible receipts from the Federal Depository Library Program for **at least five years** before they may be discarded. The five years is to be measured from the date of receipt, regardless of the date covered or date published or means of acquisition.

These retention requirements only apply to materials distributed by the Superintendent of Documents, including discards from other Federal Depository Libraries and those held under selective housing agreements. These materials remain Federal property, on deposit with the holding library. The retention requirements do not apply to federal documents obtained from other sources, such as direct distribution from a federal agency or purchase from the GPO Sales Program.

Selective depository library collections are primarily managed to meet institutional and local community needs, which are usually considered to be those of individuals and institutions in the U.S. Congressional District. However, statewide and Southeast Region needs should also be considered when making retention and disposition decisions.

3. **Disposition by Selective Depository Libraries**
Selective depository libraries are not required to dispose of documents. It is an optional part of their collection management.

To comply with 44 *U.S.C.* 1912, disposition lists are prepared to notify other depository libraries within the Southeast Region, whether regional or selective, of the intention to remove the material and to provide the opportunity for those libraries to acquire material that is of interest for their collections.

V. **Disposition of Federal Documents in the Southeast Region: Proposed Process**

Disposition lists will be posted to a shared website (the ASERL Disposition Website) for 60 days. All Regional Depository Libraries in the Southeast Region will have 30 days to request items, after which Selective Depository Libraries in the Southeast Region may request items.

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7 A regional or selective depository library may transfer a portion of its current or retrospective collection to another library, institution, or agency through an arrangement called a **selective housing agreement**. The receiving library agrees to fulfill the depository obligations for the collection, including public service, disposition and retention. A formal agreement between the parties must be signed unless both are part of the same administrative structure. A copy of the signed agreement must be provided to the Superintendent of Documents.

8 The University of Florida is willing to host a shared website for disposition lists for the Southeast Region and is exploring the development of software to facilitate the disposition process.
After 60 days, the offering library may discard any items not requested by another library within the Southeast Region, unless the items are rare or likely to be of significant interest beyond the region and therefore should be included in the national Needs and Offers List maintained by the Superintendent of Documents [See 6 below].

These procedures apply to Selective Depository Libraries in the Southeast Region and may also be used by Regional Depository Libraries disposing of duplicate copies. The exceptions will not apply if the materials are listed on the ASERL Disposition Website as Approved Regional Priorities as defined in section V.5 or as Needs as defined in Section VII.

1. Regional Priorities
In order to build strong regional collections, the Regional Depository Libraries in the Southeast Region have priority for all documents offered on any disposition list. This is a shared priority, with no preference being given to the Regional Library with direct responsibility for the specific Selective Depository Library that is discarding the items.

2. Disposition List Contents
ASERL Selective Depositories wishing to discard tangible documents after they have been retained for 5 years must prepare a disposition list containing the following information:

   i. SuDoc Stem;
   ii. Agency Name (which may be identified automatically by use of the stem);
   iii. Date Range;
   iv. Brief Description of Item/Set;
   v. Approximate Number of Items; and
   vi. Contact Information to Request Items or Additional Information on Items (Name, E-Mail, Phone, Institution).

Initially this can be accomplished through completing entries in a spreadsheet and posting the spreadsheet, but the University of Florida is planning for development of a web submission form that will populate a disposition database for the Southeast Region.


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9 Currently dispositions lists are usually at the item level, so this is aggregated listing is significantly simpler and less onerous.
10 The phrasing of the relevant item selection, such as Bibliographies; General Publications; or Handbooks, Manuals and Guides, can be used as a description of the items to be discarded.
3. Microfiche Exception
Selective Depository Libraries in the Southeast Region may discard MICROFICHE copies of depository documents after they have been retained for 5 years without offering them on disposition lists, unless they are major sets or series, such as ERIC, DOE/OSTI,11 or the materials are listed on the ASERL website as Approved Regional Priorities as defined in section 5 or as Needs as defined in Section VII.

Regional Depository Libraries will continue to assist Selective Depository Libraries with management of their microfiche collections with the following services:

1. Supplying libraries with duplicate copies of depository microfiche at no charge;
2. Supplying libraries with claim copies of depository microfiche whenever possible; and
3. Obtaining replacement copies of missing depository microfiche as needed to maintain at least two complete sets in the Southeast Region.

4. Superseded Documents Exception
Selective Depository Libraries in the Southeast Region may discard depository documents after they have been retained for 5 years without offering them on disposition lists when they appear on a Superseded List or conform to guidance on superseded items issued by the Superintendent of Documents.

5. Approved Regional Priority Exception
Selective Depository Libraries in the Southeast Region may dispose of depository documents after they have been retained for 5 years without offering them on disposition lists by sending them directly to a Regional Depository Library in the southeast that has identified those documents on the ASERL Disposition Website as Approved Regional Priorities, such as materials within the scope of the Centers of Excellence.

Although Regional Depository Libraries are not required by law to replace items lost, stolen or damaged by disaster or to build retrospective collections, individual Regional Libraries in the Southeast Region may identify areas where they are actively seeking to replace missing items or build their retrospective collections. When all Regional Libraries in the southeast accept those priorities, Selective Depository Libraries in the region may send discards directly to the appropriate Regional Depository Library, without creating a disposition list, after confirming that the Regional Library needs the item.12 Approved Regional Priorities will be posted on the ASERL Disposition Web Site.

Example 1: As noted in Section III, certain libraries within the Southeast Region have agreed to serve as Centers of Excellence for publications of specific federal agencies or on specific topics. The University of Florida is a Center of Excellence in the Southeast

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11 Clarify when a microfiche set is significant enough to be listed before disposition.
12 The disposing library may be asked to check the Regional Library’s online public access catalog or to contact the appropriate Regional Depository Library to determine that the items are not already held by the receiving library.
Region for the Panama Canal Commission and its predecessor agencies and is systematically collecting, cataloging and digitizing all federal documents from those agencies, as well as other documents about Panama and the Panama Canal. The University of Kentucky is a Center of Excellence for the Works Progress Administration (WPA) and its related agencies and University of South Carolina is a Center of Excellence for the Department of Education, excluding ERIC. Each library is systematically collecting and cataloging all federal documents from its respective agencies.

6. Rare or Significant Publications Exception

Rare or otherwise significant publications, including those with publication dates prior to 1900, not selected by libraries within the Southeast Region using the process noted above should be included in the national Needs and Offers List maintained by the Superintendent of Documents. Regional Depository Libraries within the Southeast Region will advise the discarding selective depository when to use the national list for publications issued during or after 1900. National disposition lists are posted for 90 days.

7. Florida Exception

Approximately 350,000 federal documents are in the Auxiliary Library Facility (ALF) at the University of Florida (UF). This is a medium density storage facility. An additional 500,000 federal documents will be moved into storage after the new high-density storage facility opens in 2014. All federal documents in storage will have at least a minimal cataloging record, and in the case of series, a detailed holdings statement. Unless other exceptions apply, such as the Approved Regional Priorities, Selective Depository Libraries in Florida, Puerto Rico and the Virgin Islands may discard depository documents without offering them on disposition lists when those items appear in the UF Online Public Access Catalog with the location Storage Documents.

Example 1: An advanced search for the location Storage Documents and the terms NASA and Technical Notes will retrieve a single record with 537 holdings. One holding statement is v.8422-8426,8428-8431, indicating that Technical Note 8427 is missing from the series. This means that Technical notes 8422 through 8426 and 8428 through 8431 can be discarded without a disposition list. In this instance, the absence of Technical Note 8427 in the holdings for a cataloged series located in the storage facility indicates an affirmative need for the item and it should be sent to the University of Florida Documents Department to replace the missing document without the need for a disposition list.

RECOMMENDATION: Other ASERL Regional Depository Libraries may wish to extend this exception to the Selective Depository Libraries for which they are responsible or to consider a

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14 Validate this as the appropriate cut off date. Determine if there other criteria that should be considered.
16 Because large parts of the University of Florida federal documents collection are not yet cataloged and remain on open shelves in the Marston Science Library, this exception is currently limited to cataloged items in storage.
similar exception for cataloged federal documents in their own or other storage facilities in the Southeast Region.

8. Disposal
Failing to find a recipient after complying with these instructions, the Selective Depository Library may dispose of the documents in any appropriate manner, including transfer to public, school, or other non-depository libraries in their area.

All publications weeded from the depository collection should be clearly marked as "withdrawn" by the offering library prior to any disposition.

However, if discarded publications are sold as second-hand books or waste paper, the proceeds must be sent to the Superintendent of Documents with a letter of explanation.17

VI. Requesting Items from Disposition Lists
A depository library wishing to request an item or group of items should contact the individual identified on the disposition list to determine if the specific items are available.

Libraries are not required to take all items on a list, though preference may be given to a library seeking an entire group or series of documents.

Shipping charges are usually the responsibility of the disposing library. The receiving library may be asked to provide shipping labels.

VII. Development of Regional Collections: Proposed Process

A simplified disposition process should be balanced with a more robust acquisition process to support the efforts of Regional Depository Libraries to acquire items needed for their collections. The primary value of itemized disposition lists has been to allow Regional Depository Libraries to see if any of the items are missing from their own collections. This process needs to be reversed, so Regional Depository Libraries affirmatively identify their needs and Selective Depository Libraries check their planned dispositions against those needs. In the end, this is less burdensome for the Selective Depository Libraries than listing every item to be discarded.

This process can also be used by Selective Depository Libraries in the southeast to enhance their collections.

In general, Needs Lists will require significantly more detail than disposition lists in order to identify clearly the item(s) sought. A needs list should contain the following information:

17 GPO General Counsel was asked to identify the point at which this material was no longer federal property and therefore remission of proceeds from sale or recycling is no longer an issue.
Initially documentation of needs can be accomplished through completing entries in a spreadsheet and posting the spreadsheet on the ASERL Disposition Website, but the University of Florida is planning for development of a web submission form that will populate a Needs List database for the Southeast Region. All Selective Depository Libraries in the southeast will be expected to review the Needs Lists before creating their Disposition Lists and notify the appropriate Regional Depository Library of items that are available.

Unfortunately, the absence of a cataloging record, especially for pre-1976 publications, cannot be presumed to indicate a need because such a large portion of the regional collections are uncataloged. Over time, the Florida Exception, as described in section V.7, should become effective for the cataloged portions of Regional Depository Library collections in the southeast.

VIII. References

The following web sites provide information on current disposition practices within the ASERL region:

- University of Alabama: http://www.lib.ua.edu/govinfo/disposal_guidelines
- University of Florida: http://www.uflib.ufl.edu/FEFDL/admin/guidelines.html
- University of Georgia: http://www.libs.uga.edu/govdocs/depository_libraries/discardlists.html and http://www.test.libs.uga.edu/govdocs/depository_libraries/gaplan.html#E
- Louisiana Tech: http://www.latech.edu/library/pdfs/discardinstruct.doc
- University of Memphis: http://www.memphis.edu/govpub/discard.php
- University of Mississippi: http://apollo.lib.olemiss.edu/center/gis/disposal
- University of Virginia: http://guides.lib.virginia.edu/content.php?pid=26990&sid=195587

The following Superintendent of Documents web sites provide information on disposition:


Also of interest may be the disposition instructions from the University of Nebraska, Lincoln: http://www.unl.edu/libr/govdocs/discard.shtml.
IX. ASERL Deans’ FDLP Task Force

The proposal was developed by the ASERL Dean’s FDLP Task Force, with the Assistance of ASERL Executive Director John Burger. The Members of the task force are:

- Judy Russell, University of Florida (Chair)
- Larry Boyer, East Carolina University
- Bonnie MacEwan, Auburn University
- Sarah Michalak, University of North Carolina, Chapel Hill
- William Potter, University of Georgia
- Lance Query, Tulane University
- Julia Rholes, University of Mississippi

Comments and questions can be sent to Judy Russell (jcrussell@ufl.edu) or to any member of the Task Force.

ASERL has created an online survey form as one means of receiving input on this proposal from library deans and directors, documents librarians, and other interested persons. This survey will be available at http://tinyurl.com/aserl-fdlp-2010 until Friday, July 30, 2010. The survey seeks input on the proposal section-by-section; it is recommended that respondents have the proposal available when completing the survey in order to provide meaningful and constructive feedback.