



ASSOCIATION OF SOUTHEASTERN RESEARCH LIBRARIES

March 19, 2021

Laurie B. Hall, Superintendent of Documents
U.S. Government Publishing Office
732 North Capitol Street, NW
Washington, DC 20401

RE: Legislative Revisions to Title 44 U.S.C., Chapter 19 Depository Library Program

Dear Superintendent of Documents Hall:

Thank you for the opportunity to provide feedback on the proposed legislative revisions to Title 44, the law that undergirds the Federal Depository Library Program (FDLP). As you are aware, the depository libraries within the Association of Southeastern Research Libraries (ASERL) region have a long history of working collaboratively to manage, preserve and provide print and digital access to legacy collections of government information. The need for flexibility in managing these assets is crucially important.

ASERL firmly believes the following continue to be integral to the FDLP:

- No-fee, permanent public access to government information from all branches of government, regardless of format, must be assured.
- FDLP collections must be fully cataloged, inventoried, digitized and preserved.

We also believe it is imperative that revisions to Title 44 acknowledge and ensure:

- Depository libraries are supported in their efforts to design and implement innovative intra- and inter-state shared Regional collaborations to manage collections and services to selective depository libraries.
- The disposition processes for unwanted government public information are streamlined to lessen the administrative burdens while also facilitating the efforts of Preservation Stewards and other entities engaged in preservation activities. These processes ensure gaps are filled in the print preservation collections and previously unknown or overlooked rare/unique items are identified, cataloged as needed, digitized if feasible, and appropriately preserved.
- Depository libraries are permitted to adopt a portion of the cataloging, digitizing and preservation of the National Collection of Government Public Information as they may

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desire, supported by GPO. These additional responsibilities must be optional, and in no way diminishes GPO's central role in these actions.

We believe greater clarity is needed in the following areas:

- We recommend a definition for the “National Collection of U.S. Government Public Information” be included in Section 1901. The scope of the newly-established national collection – and its relationship to depository libraries’ responsibilities for existing collections – is unclear.
- As written, the definition of “government publication” (1901) does not adequately convey the many types of formats – both print and digital – disseminated through the Superintendent of Documents and stewarded by depository libraries. Format or medium should be more explicitly included or excluded.
- The nuances in definitions for “government publication” and “public information” are confusing, as is the application of these terms. Most sections refer to material made available to depository libraries through the Superintendent of Documents as “Government public information” – which includes government publications or information resources regardless of form or medium. Sections 1907 and 1912 use the narrower term of “government publications” for both receiving and disposal, while Section 1911 uses the broader term of “Government public information” for both receiving and disposal.
- We recommend the definition of “information lifecycle management” (1901) include disposition/withdrawal as a stage through which tangible or digital information assets pass.
- Section 1911 lays the foundation for depository libraries to “dispose of unwanted public information in accordance with Superintendent of Documents **policy and guidance.**” We firmly believe the procedural aspects of lifecycle management are better addressed through policies/guidelines than legislation. Moreover, such policies/guidelines should be established in a manner that allows full and timely vetting by all members of the program, and that no responsibilities are assigned to depository libraries without their full understanding and consent.
- Additionally, we believe the state/region-centric framework upon which much of the FDLP is currently based will become less workable as content is increasingly made available online and more depository libraries enter into multi-state agreements. Specifically, we recommend removing the prescriptive region-centric process detailed in Section 1912 (d) – *“After first offering the publications to the regional depository and to other depository libraries within their area, the Superintendent of Documents will ensure depository libraries nationwide have an opportunity to obtain them, and then will authorize the withdrawal of the materials from the depository library program.”*

We appreciate the work the Government Publishing Office has done on the proposed legislative changes and look forward to continued opportunities to support GPO in ensuring public access to these critical resources into the future.

Kind regards,

A handwritten signature in blue ink, appearing to read "John Burger". The signature is fluid and cursive, with a large initial "J" and "B".

John Burger, Executive Director
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cc: ASERL Board of Directors
CFDP Steering Committee