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Attachment A:
Legislative Requirements for the FDLP Study

Legislative Requirements for the FDLP Study

[This information was downloaded from legislative databases online via GPO Access.]

Senate Report 104-114 on H.R. 1854; FY 1996 Legislative Branch Appropriations (Pages 48-49)

Public access to Government information is a basic right of every American citizen. The Committee recognizes the critically important service that the Government Printing Office and participating libraries in the Federal Depository Library Program provide to citizens throughout the country in furnishing timely, equitable access to Government information.

The dramatic advances in technology provide new opportunities for enhancing and improving public access. However, the increasing utilization of electronic technologies in support of dissemination programs by all branches of government requires careful analysis, planning, and probable restructuring of the current program. Without this analysis, planning, and a strongly coordinated effort, improvements to the program will be delayed, costly, and very well may compromise the public's right to Government information.

The Committee believes the planning should incorporate the goals of equitable, efficient, timely, and dependable access to Government information. The Committee supports a strong coordinated effort between the respective oversight and appropriation committees, the Government Printing Office, executive branch agencies, participating depository libraries, and other relevant and appropriate organizations.

To this end, the Committee directs the Public Printer to initiate a study, under the direction of the Committee, that:

- Examines the functions and services of the Federal Depository Library Program;
- Surveys current technological capabilities of the participating libraries in the Federal Depository Library Program;
- Surveys current and future information dissemination plans of executive branch agencies;
- Examines and suggests improvements for agency compliance of relevant laws, regulations, and policies regarding Government information dissemination;
- Identifies measures that are necessary to ensure a successful transition to a more electronically based program;
- Identifies the possible expansion of the array of Federal information products and services made available to participating libraries; and
- Ensures the most cost-efficient program to the taxpayer.

The study shall include a strategic plan that will assist the Congress in redefining a new and strengthened Federal information dissemination policy and program.

In conducting the study, it will be important for the Public Printer to work closely with the respective oversight and appropriation committees, executive branch agencies, other distributors of Federal documents and information products, the Library of Congress, the depository library community, the National Technical Information Service, users, the information industry, and other appropriate organizations. The completed study shall be available to Congress by March 1996.

H.R. 1854: FY 1996 Legislative Branch Appropriations (As Reported in the *Congressional Record*, July 28, 1995, Pages H7965-H7966)

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

ADMINISTRATIVE PROVISION

Sec. 210. The fiscal year 1997 budget submission of the Public Printer to the Congress for the Government Printing Office shall include appropriations requests and recommendations to the Congress that--

(1) are consistent with the strategic plan included in the technological study performed by the Public Printer pursuant to Senate Report 104-114;

(2) assure substantial progress toward maximum use of electronic information dissemination technologies by all departments, agencies, and other entities of the Government with respect to the Depository Library Program and information dissemination generally; and

(3) are formulated so as to require that any department, agency, or other entity of the Government that does not make such progress shall bear from its own resources the cost of its information dissemination by other than electronic means.

And the Senate agree to the same.

House Report 104-212: Conference Report on H.R. 1854: FY 1996 Legislative Branch Appropriations (Pages 14-15)

Amendment numbered 34: Deletes a House provision stricken by the Senate which would have amended section 1903 of Title 44, and inserts a provision directing the Public Printer to include in the fiscal year 1997 budget submission a proposal for the depository library program that will result in the conversion of this program to electronic format. The Public Printer is directed to propose a means to create cost incentives for publishing agencies, including the Congress, to migrate from print-on paper products to electronic format. The conferees direct that the Public Printer and Superintendent of Documents consult with the Joint Committee on Printing, House and Senate document publishing managers, and appropriate executive branch officials in the development of the fiscal year 1997 budget program. The conferees also do not intend that the study directed in the Senate report or the plan regarding electronic format should interfere with the activities of the authorizing committees to consider legislation amending Title 44, U.S. Code, or any legislative initiative which will improve the Federal printing program.

ADMINISTRATIVE PROVISION

SEC. 210. The fiscal year 1997 budget submission of the Public Printer to the Congress for the Government Printing Office shall include appropriations requests and recommendations to the Congress that—

- (1) are consistent with the strategic plan included in the technological study performed by the Public Printer pursuant to Senate Report 104—114;
- (2) assure substantial progress toward maximum use of electronic information dissemination technologies by all departments, agencies, and other entities of the Government with respect to the Depository Library Program and information dissemination generally; and
- (3) are formulated so as to require that any department, agency, or other entity of the Government that does not make such progress shall bear from its own resources the cost of its information dissemination by other than electronic means.

Attachment B:

Roster of Working Group Members, Advisors and Staff

**Study to Identify Measures Necessary
for a Successful Transition to a More Electronic
Federal Depository Library Program**

Participants

Representing the U.S. Government Printing Office

Mr. Michael DiMario	Public Printer
Mr. Wayne Kelley	Superintendent of Documents (Chair of Study)
Mr. Frank Biden	Office of Congressional, Legislative, and Public Affairs
Mr. Gil Baldwin	Library Programs Service
Mr. Charles C. Cook	Congressional Printing Management Division
Mr. Robert Cox	Departmental Account Representative Division
Mr. Bill Guy	Office of Budget
Ms. Judy Russell	Office of Electronic Information Dissemination Services
Mr. Jay Young	Library Programs Service

Representing the U.S. Congress (Majority Staff)

Mr. George Cartagena	Joint Committee on Printing
Ms. Christine Ciccone	Senate Committee on Governmental Affairs
Mr. Ed Edens	Senate Committee on Rules and Administration
Ms. Catherine Fanucchi	House Committee on House Oversight
Mr. Doug Fuller	Senate Committee on Governmental Affairs
Mr. Larry Harris	Office of Senator Connie Mack
Ms. Linda Kemp	Joint Committee on Printing
Mr. Keith Kennedy	Senate Committee on Appropriations
Mr. Jonathon Lack	Senate Committee on Governmental Affairs
Mr. Ray Mock	Office of Congressman Ron Packard
Mr. Mark Uncapher	House Committee on Government Reform and Oversight, Subcommittee on Government Management, Information and Technology
Ms. Joy Wilson	Senate Committee on Rules and Administration

Representing the U.S. Congress (Minority Staff)

Mr. John Chambers	Joint Committee on Printing
Mr. Don DeArmon	Office of Congressman Vic Fazio
Mr. Jim English	Senate Committee on Appropriations
Ms. Kennie Gill	Senate Committee on Rules and Administration
Mr. Charlie Howell	House Oversight Committee
Mr. Eric Ilgenfritz	Office of Senator Patty Murray
Mr. Robert Mansker	Joint Committee on Printing
Mr. David McMillen	Committee on Government Reform and Oversight
Mr. David Plocher	Committee on Governmental Affairs

Representing the Library of Congress

Ms. Jane Bortnick Griffith Congressional Research Service
Mr. Harold Relyea Congressional Research Service

Representing the Office of Management and Budget

Mr. Bruce McConnell Office of Information and Regulatory Affairs
Mr. Glenn Schlarman Office of Information and Regulatory Affairs
Mr. Peter Weiss Office of Information and Regulatory Affairs

Representing the National Archives and Records Administration

Mr. Tom Brown Center for Electronic Records
Ms. Fynnette Eaton Center for Electronic Records

Representing the Federal Publishers Committee

Mr. Ken Rogers STAT-USA, Department of Commerce
Mr. John Weiner Information and Administration Services, Energy Information
Administration

Representing the Interagency Council on Printing and Publication Services

Mr. Roy Francis Branch of Policy and Printing Management, Department of the Interior

Representing the Administrative Office of the U.S. Courts

Mr. Gary Bowden

Representing the Depository Library Community

Ms. Julia Wallace Government Publications Library, University of Minnesota

Advisors

Ms. Prudence Adler Association of Research Libraries
Ms. Mary Alice Baish American Association of Law Libraries
Ms. Joan Challinor National Commission on Libraries and Information Science
Mr. Dan Duncan Information Industry Association
Ms. Jan Fryer Iowa State University, Depository Library Council
Ms. Roxanne Fulcher Special Libraries Association
Ms. Diane Garner Harvard University, American Library Association/GODORT
Ms. Anne Heanue American Library Association
Ms. Carol Henderson American Library Association
Mr. Lloyd Hysan U.S. Supreme Court
Dr. Donald Johnson National Technical Information Service and CENDI
Mr. Peyton Neal Information Industry Association
Mr. Dan O'Mahony Brown University, Depository Library Council
Ms. Lois Schoenbrun Special Libraries Association
Ms. Lynne Siemers Washington Hospital Center, Medical Library Association

Advisors, continued

Ms. Jeanne Hurley Simon National Commission on Libraries and Information Science
Mr. Frederick Weingarten Computing Research Associates, American Library Association
Mr. Peter Young National Commission on Libraries and Information Science

GPO Staff

Mr. Bill Arndt	Library Programs Service
Mr. Jeff Axline	Library Programs Service
Ms. Terri Barnes	Office of Electronic Information Dissemination Services
Mr. Michael Bright	Office of Electronic Information Dissemination Services
Mr. Michael Clark	Library Programs Service
Mr. Ric Davis	Library Programs Service
Mr. Thomas Downing	Library Programs Service
Ms. Laurie Hall	Library Programs Service
Mr. Jerry Hammond	Congressional Printing Management
Ms. Robin Haun-Mohamed	Library Programs Service
Ms. Wendy Frederick	Documents Technical Support
Mr. Joseph McClane	Bibliographic Systems Branch
Ms. Sheila McGarr	Library Programs Service
Ms. Maggie Parhamovich	Library Programs Service
Mr. Joseph Paskoski	Library Programs Service
Mr. Berry Reece	Office of Marketing
Mr. Andy Sherman	Office of the Public Printer
Mr. Willie Thompson	Library Programs Service
Mr. Tony Zagami	Office of the General Counsel

Special thanks is given to Ms. Wendy Kloiber Frederick who provided the primary staff support for the FDLP Study and to Mr. Ric Davis who assisted with the drafting and editing of the FDLP Study Report.

Attachment C:

List of Tasks

**STUDY TO IDENTIFY MEASURES NECESSARY
FOR A SUCCESSFUL TRANSITION TO A MORE ELECTRONIC
FEDERAL DEPOSITORY LIBRARY PROGRAM**

Tasks for Implementation

1. Technical analysis by a Federally-Funded Research and Development Center (FFRDC) to determine the most cost effective way to provide electronic access to Government information products to the American public through the Federal Depository Library Program **[Task Leader: Jay Young]**
2. Identification of relevant laws, regulations and policies regarding Government information dissemination **[Task Leader: Jane Griffith]**
3. Identification, acquisition and evaluation of already available information, both published and unpublished, relevant to the FDLP Study **[Task Leader: Julia Wallace]**
4. Identification of current and ongoing electronic information dissemination activities for the Federal Depository Library Program **[Task Leader: Judy Russell]**
5. Evaluation of incentives for publishing agencies, including Congress, to migrate from print products to electronic format and include their electronic products in the FDLP **[Task Leader: Roy Francis]**
6. Evaluation of current laws governing the Federal Depository Library Program and recommendation of and legislative changes necessary for a successful transition to a more electronic program **[Task Leader: Jay Young]**
7. Survey of Federal agencies to identify CD-ROM titles that are not currently included in the Federal Depository Library Program **[Task Leader: Gil Baldwin]**
8. Development of individual case studies for specific Federal electronic information dissemination initiatives with respect to their costs, and impact on public access to information through the Federal Depository Library Program in comparison with present methods of dissemination. Case studies include Congressional Bills, the Congressional Serial Set, Department of Energy (DOE) research reports and Office of Technology Assessment (OTA) reports **[Task Leaders: Charles Cook (Congressional information), Gil Baldwin (DOE), Fynnette Eaton and Tom Brown (OTA)]**
9. Evaluation of issues surrounding inclusion in electronic formats of materials not traditionally included in the FDLP in either paper or microfiche, including case studies on Securities and Exchange Commission EDGAR data and Federal District and Circuit Court opinions **[Task Leaders: Julia Wallace (overview and SEC) and Gary Bowden (Federal courts)]**
10. Review of Federal programs permitting or requiring the sale of information to recover costs, and the effects on efforts to assure free public access through the FDLP, including case studies on STAT-USA and the National Library of Medicine MEDLINE Service **[Task Leader: Ken Rogers (STAT-USA) and Gil Baldwin (MEDLINE)]**

Attachment D:
Task Force Reports

- D-1 Task 1: Technical Analysis by a Federally-Funded Research and Development Center (FFRDC)
- D-2 Task 2: Identification of Relevant Laws, Regulations and Policies Regarding Government Information Dissemination
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- D-4 Task 5: Evaluation of Incentives for Publishing Agencies to Migrate from Paper Products to Electronic Format
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- D-12 Task 9A: Case Study on Securities and Exchange Commission EDGAR Data
- D-13 Task 9B: Case Study on Federal District and Circuit Court Opinions
- D-14 Task 10A: Federal Programs Permitting or Requiring the Sale of Information to Recover Costs -- Case Study on STAT-USA Services
- D-15 Task 10B: Federal Programs Permitting or Requiring the Sale of Information to Recover Costs -- Case Study on the National Library of Medicine MEDLINE Service

Attachment D-1

**Task 1: Technical Analysis by a Federally-Funded
Research and Development Center**

HOUSE OF REPRESENTATIVES

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Congress of the United States
Joint Committee on Printing

818 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510-6650
(202) 224-5241

October 10, 1995

95115

The Honorable Michael F. DiMario
Public Printer
U.S. Government Printing Office
Washington, D.C. 20401

Dear Mr. DiMario:

We have considered your request for the approval of \$400,000 to commission a study by a Federally Funded Research Group to examine the technology necessary to implement an electronic dissemination program at the Federal Depository Libraries. We are denying this request at this time. While we strongly concur with the principle of moving toward an electronic dissemination program which will effectively and efficiently provide Federal Government information to the public, we also recognize that this is not the appropriate time to conduct this facet of the study.

GPO is currently conducting a multifaceted study of the Depository Library Program which will compile data about electronic dissemination of information. This study can be conducted and completed without the additional costly independent study. The information collected in the ongoing study will be useful for an implementation plan that will consider the equipment and capabilities of each library in the Depository Program. We anticipate that if we conduct these studies in the appropriate order it will prove to be a more effective use of resources.

The Joint Committee on Printing is prepared to reconsider this request at an appropriate time in the future if so requested.

Best regards,

Bill

Bill Thomas
Chairman

John Warner
John W. Warner
Vice Chairman

Wendell H. Ford
Wendell H. Ford
Ranking Member

The draft report to Congress included a proposal for Technical Implementation Assistance (TIA) in lieu of the FFRDC contract. This TIA contract was to obtain additional information about future agency publishing plans and current depository library capabilities, as well as an expert evaluation of the cost-effectiveness and usefulness of various electronic formats that may be selected for depository library distribution or access. During the public comment period, the concept of the TIA was refined further into the Assessment of Standards for Creation and Dissemination of Electronic Government Information Products, which is described below.

For the successful implementation of a more electronic FDLP, the Congress, GPO and the library community must have additional information about future agency publishing plans, as well as an expert evaluation of the cost-effectiveness and usefulness of various electronic formats that may be utilized for depository library dissemination or access. A central implementation issue is the identification and utilization of standards for creation and dissemination of electronic Government information products. These standards would enhance access to, and use of, Government information both by the Government and the public. The Government produces an enormous quantity and variety of information. The standards best suited for one type of data may be substantially less suited, or even entirely inappropriate, for another. Consequently, there is no single standard in which all Government information products can, or should, be created or disseminated. Nevertheless, it is in the best interests of the Government, and those who use Government information, to achieve a greater degree of standardization than now exists, and to develop recommended standards for each major type of Government information product in order to facilitate the exchange and use of this information.

To accomplish this, it is first necessary to know the range of formats Federal agencies currently use in the creation and dissemination of information and to assess the de facto or actual standards that are in use for each major type of data. It also is necessary to identify areas where there is no standardization, or such limited standardization that the effect is virtually the same. Finally, it would be useful to evaluate standards utilized by private sector and other non-governmental publishers. This information will provide the basis for an assessment, in consultation with the depository library community, of the usefulness and cost-effectiveness of various electronic formats for depository library dissemination or access. It also will be the basis for a dialog with the National Archives and Records Administration (NARA), the National Commission on Libraries and Information Science (NCLIS), the National Institute of Standards and Technology (NIST), and others with an interest in establishing and promulgating Government-wide standards for information creation and dissemination.

GPO is proposing to accomplish this data gathering and evaluation through a joint effort with NCLIS. As an independent Federal agency established to advise the President and the Congress on national policies related to library and information services adequate to meet the needs of the people of the United States, NCLIS is uniquely situated to coordinate this activity. While substantial changes already are underway, this assessment of standards for the creation and dissemination of electronic Government information products should proceed as rapidly as possible in order to assure a successful and cost-effective transition to a more electronic FDLP.

Attachment D-2

**Task 2: Identification of Relevant Laws, Regulations and Policies
Regarding Government Information Dissemination**

TASK 2: Identification of relevant laws, regulations and policies regarding Government information dissemination.

INTRODUCTION

The FY 1996 Legislative Branch Appropriations Senate Report (104-114) contained language directing the conduct of a study that:

- examines the functions and services of the Federal Depository Library Program, including technological capabilities of the participating libraries;
- surveys current and future dissemination plans of executive branch agencies;
- suggests improvements for agency compliance with relevant laws and policies regarding Government information dissemination; and
- identifies necessary measures to ensure transition to a more electronically based and cost-efficient program.

As part of this effort, the Congressional Research Service (CRS) was asked to prepare a compilation of statutes authorizing the dissemination of government information to the public. The methodology employed involved searching for relationships of variant forms of keywords in the text portion of the Westlaw online database of The United States Code Annotated. The searches were repeated to allow for all possible word combination and synonyms. The results of these searches were then reviewed by CRS staff to eliminate irrelevant items and identify statutes of known relevance that did not emerge from the searches. Known statutes were retrieved by citation. This process was reiterated until CRS staff had a degree of confidence in the results. The initial searching was conducted in October, 1995, with additional searches performed throughout the revision process.

Statutes mandating the publication of information in the Federal Register or reports to Congress were eliminated. House Document 104-15, prepared by the Clerk of the House, identifies statutory requirements for reports to Congress. Also eliminated were statutes allowing only public examination of agency records, but not calling for affirmative public dissemination. Particular reports and documents specified in Chapter 5, Title 2 and Chapter 13 of Title 44 were not included because there is no language specifically indicating public dissemination.

This methodology, which relies heavily on online searching of a massive database, cannot ensure that all relevant statutory provisions are identified. Thus, a preliminary draft was distributed for review by others, including executive branch personnel, who identified other statutes appropriate for addition to the compilation. We emphasize that this compilation identifies a large survey of statutes providing Federal agencies with authority for disseminating government information to the public, but it cannot be considered exhaustive or definitive.

The statutory provisions identified are listed in order by title and section of The United States Code Annotated. In most cases, the entire section is provided to give adequate context, although in some instances editing was done to reduce the volume of the document. The most relevant passages are underlined. A guide to the relevant sections provides listings according to agency and selected topics. A

given section may appear under several headings depending on its contents. What the guide reflects is that, in addition to broad Government-wide information dissemination policies (e.g., those in Title 44), many agencies have some kind of generic publication or dissemination authority. Further, there are many instances where specific authority is granted for the publication or dissemination of particular kinds of information, the production of information services, or the creation of clearinghouses.

Only the index of Federal entities and the topical index are provided in this attachment.

INDEX OF FEDERAL ENTITIES

Administrative Conference of the U.S. 5 USC 594(3)	15 USC 2220(a)(2), (6) 15 USC 2904(d) 15 USC 3704a
Consumer Product Safety Commission 15 USC 2054(a)(1)	15 USC 3704(c)(15), (d)(1) 15 USC 3704b-2(a) 15 USC 3704b(e)
Corporation for National and Community Service 42 USC 5021(a)(1)	15 USC 3705(a) 15 USC 3710(c), (d), (e) 15 USC 4906 15 USC 4912
Department of Agriculture 7 USC 423 7 USC 473b 7 USC 626 7 USC 1011(e) 7 USC 1593a 7 USC 1736a(b)(3) 7 USC 2201 7 USC 2330 7 USC 2662 7 USC 3125a(d), (e) 7 USC 3125b 7 USC 3125c 7 USC 5341(a) 7 USC 5403(c) 7 USC 5505(a) 7 USC 5711(g)(2) 7 USC 5712(a)(2) 7 USC 5882 16 USC 2804(c) EO 11644, sec. 5	19 USC 2354(c) 19 USC 2544(a) 19 USC 2575a 19 USC 2576a 22 USC 3101(b) 22 USC 3103(a)(5) 22 USC 2121(b)(15) 22 USC 2122 33 USC 883b EO 11625, sec. 1(3) Reorganization Plan 4 of 1970, section 1(e)
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42 USC 13336(b)
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42 USC 13458(c)
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15 USC 1341(a)(4), (5), (6)
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30 USC 813(h)
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42 USC 284a(a)(3)(B)
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42 USC 285b-2
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42 USC 290bb-31(b)(10)
42 USC 300e(c)(8)
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42 USC 300ee-31(b)
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42 USC 3505b(3)
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15 USC 2665(a)1, (4), (7); (c); (e)(5)(C)
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42 USC 7403(b)(1), (6)
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This compilation was prepared by Jane Bortnick Griffith, Specialist in Information Science and Technology, Science Policy Research Division; Harold C. Relyea, Specialist in American National Government, Government Division; and Frances A. Bufalo, Specialist in Automated Information Resources, Automation Office, with the assistance of Morton Rosenberg, American Law Division and Donna Scheeder, Congressional Reference Division.

Attachment D-3

Task 3: Bibliography of Information Relevant to the FDLP Study

TASK 3: Identification, acquisition and evaluation of already available information, both published and unpublished, relevant to the FDLP Study.

This bibliography includes a selection of articles, books, reports, surveys and documents on subjects related to the FDLP Study. It is far from comprehensive, but attempts to include a variety of materials and a mix of policy investigations and technical studies. When they were located, Universal Resource Locators (URL's) are provided for materials which are available through the Internet. Materials on the bibliography are grouped into seven general areas:

- * Information Access Policy and Practice
- * Reports and Articles from Depository Library Conferences, Librarians, and Library Associations
- * Surveys on Access to Technologies
- * Archiving and Preservation of Electronic Information
- * Technology and the National Information Infrastructure
- * Selected Congressional Hearings and Reports
- * Government Printing Office Studies

INFORMATION ACCESS POLICY AND PRACTICE

Both general and specific issues relating to Government information access policy are explored from a variety of viewpoints in the articles, reports and books listed here. Issues of equity and access appear in many of the publications. Comprehensive overviews are found in the Hernon and Perritt studies, among others. The public's use is investigated in reports from Bauman Foundation, OMB Watch, and Ryan and McClure. And both Birdsall and Crawford urge caution in embracing the myth of the totally electronic library.

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Attachment D-4

**Task 5: Evaluation of Incentives for Publishing Agencies to Migrate
From Print Products to Electronic Format**

TASK 5: Evaluation of incentives for publishing agencies, including Congress, to migrate from print products to electronic format and include their electronic products in the FDLP.

METHODOLOGY

Input was solicited from the two main agency sources involved in publishing and distribution of Government information: Information Resource Management (IRM) Officers and Printing Officers. This task was most relevant to the Printing Officers since the request from Congress was to identify cost incentives to migrate from print products to electronic format. However, IRM Officers were included in order to identify the opportunities for, and obstacles to, including agency electronic information products in the FDLP. From interviewing associates in the two fields, it is apparent that there is a definite difference of opinion on possible incentives for participation in the FDLP. Also, due to the differing procedural functions of the two entities, it was necessary to approach this task from two different perspectives.

BACKGROUND

Printing Management

The printing community is very familiar with 44 U.S.C. Chapter 19 and the Federal Depository Library Program (FDLP). It appears that in this arena there are real possibilities for an effective incentive program. Virtually all publications are made available to the FDLP automatically through the GPO printing procurement process. Only publications procured outside the GPO procurement process, "fugitive documents," fail to be considered for the FDLP. Printing management responses indicate a real perceived value to participation in the FDLP and an appreciation for the incentives already implicit in the current structure, i.e. that GPO pays for printing depository copies when a publication is printed or procured through GPO.

Currently, approximately 50% of all printing requests submitted to GPO are submitted in an electronic format, but these encompass a wide variety of formats. While this 50% is a basis for electronic distribution, it will require reformatting by the agencies or GPO to put the Government information products in formats useful to and useable by depository libraries. If it becomes mandatory for GPO to make publications available to the FDLP in an electronic format, printing managers fear that the originating office could become responsible for creating, or reformatting, the document in a format suitable for FDLP distribution. If that occurs, it will be an administrative burden on the originating agencies as well as an additional expense, and therefore, a major disincentive to participation in the FDLP. This might lead to more fugitive documents.

Since GPO is the recommended procurement office for Federal printing and the coordinator for the FDLP system, it is reasonable to assume that a program to enhance the FDLP system should start with the GPO. With its FY 1997 budget justification, GPO included the *Electronic Federal Depository Library Program: Transition Plan, FY 1996 - FY 1998* (known as the Transition Plan) which sought continued funding and the authority for GPO to create, or reformat, electronic Government information products for distribution through the FDLP.¹

Information Resources Management (IRM)

¹Public comments in response to this document led directly to the development of the *Electronic Federal Depository Library Program: Information Dissemination and Access Strategic Plan, FY 1996 - FY 2001*, included with this report as Exhibit 1.

Unlike Printing Management, the typical IRM office is unaware of 44 U.S.C. Chapter 19 requirements and the FDLP. There is little doubt that the IRM community has moved into the electronic information management age. With the advent of the Internet, more specifically the World Wide Web (Web), public access to Government information products has reached new levels. Virtually all publications that involve IRM routinely are evaluated for dissemination through agencies' Web servers. However, Government information products made available directly to an IRM office may not be intended to be printed. Likewise, documents made to be printed may not be submitted to an IRM office.

A key problem is that an IRM office often does not know what publications have been made available to GPO for printing and likewise the publications being printed often are not made available to an IRM office. It is apparent that the two entities do not communicate as thoroughly as necessary, therefore, information products are missed by both offices. There are many legitimate reasons why this happens, but subject matter and audience appear to be major considerations in determining whether an information product goes to print-on-paper or to the IRM community.

Typical IRM offices see no incentive to make Government information products available electronically through the FDLP. The belief is that as long as these products are made available to the public via the Web, their mission of providing information to the American public is complete because the information is available to anyone who has access to a computer and the Internet. This overlooks the necessity to provide Government information products to those who do not have Internet access and a computer, as well as the need to provide permanent access, both of which currently are assured by the FDLP.

It should be noted that if the FDLP continues, the general consensus in the IRM community is that all depository libraries should be required to include a minimum standard of computer equipment, including at the absolute minimum: CD-ROM readers, network connections, download and printing capabilities. In fact, this has occurred and the minimum technical guidelines become requirements in October 1996.

General Conclusions

Although several specific alternatives for new incentives were developed and are discussed below, the strongest incentive identified during this task was, in fact, the one that exists in the current program: make participation as effortless and automatic as possible and at no cost to the agency. One agency official summarized this by saying "first do no harm," i.e. don't distract the agencies from their primary missions or require the expenditure of any of their increasingly scarce resources. The current system where GPO rides agency print orders at its own expense means that merely by printing through GPO, as required by 44 U.S.C., FDLP participation is ensured at no cost to the agency. Whatever new mechanisms are put in place, a more electronic FDLP must provide an equally simple and cost-effective means for agency participation.

DISSEMINATION ALTERNATIVES

Incentive A

Establish an electronic information management function within the Superintendent of Documents. This would be similar to the current system of publication identification and review via GPO Form 3868 (Notification of Intent to Publish) and the SF-1 (Printing and Binding Requisition), where all Government information products are reviewed to establish the requirements for depository library distribution as part of the publication process. The electronic information management function would assume those current duties and add to that a determination of balance between electronic requirements and printing needs. It is anticipated that the number of print-on-paper copies will be greatly reduced by this process. GPO would utilize to the extent possible electronic information products received from agencies and, when necessary, create or procure alternative formats useful to and useable by depository libraries and the National Archives and Records Administration (NARA). GPO, in conjunction with the depository libraries and within

its available funding, could provide remote access to electronic Government information products or disseminate it in a tangible form such as CD-ROM. Electronic information products included in the FDLP also would be transferred to NARA at the appropriate time and in formats acceptable to NARA. It should be noted that this transfer would not relieve the publishing agency of its archival responsibility without a change in the law or archival regulations.

Benefits

- This would not affect the procurement process of GPO. It would reduce the number of print-on-paper copies needed for the FDLP, thereby reducing the total cost of printing to GPO.
- Agencies could continue to meet public requests for their Government information products by referring inquiries to depository libraries.
- Agencies would continue to submit documents to GPO in the same manner with no additional burden or cost.
- GPO remains the main focal point for a significant portion of the documents entering the FDLP. This would not adversely affect the current printing procurement procedure, but would continue to funnel documents through a central point for dissemination to the public.
- This alternative allows for standardization of formats of publications for electronic dissemination. Standard formatting is a cause for great concern among all Federal agencies including GPO and NARA. It is widely accepted that this is probably the most imposing task we face in electronic publishing today. This would also provide the option for the agencies to receive their own electronic information products back from GPO in one of the standardized formats at little or no additional cost to the agency.
- Reformatting to standard formats by GPO relieves the submitting agency from encumbering their current process. This encourages participation in the FDLP by eliminating the cost for reformatting each publication for electronic dissemination. At the same time, it guarantees widespread distribution of agency information products.
- Whenever it is possible and cost-effective to do so, GPO will reformat agency information products into formats suitable for preservation and will transfer them to NARA at the appropriate time. With the necessary change in law or archival regulations, providing electronic information products to GPO for FDLP distribution in these instances also would fulfill an agency's obligation to NARA.

Disadvantages/Problems

- GPO will incur additional costs for reformatting, providing access to and storing electronic Government information products. Some types of reformatting would result in GPO, rather than the agency, assuming responsibility for the accuracy of the content. If the agency provides GPO with camera copy instead of machine readable data, and is unwilling or unable to provide some electronic format, GPO must scan the information product for dissemination. Unless scanning is done at a high resolution, the image files produced will be only slightly better than microfiche. If scanning is done at higher resolutions, it will be difficult to provide the image files through the GPO electronic information services due to the slower and more limited access methods that many depository libraries currently use to access such services.
- This will not influence the IRM managers who have never used and may be unfamiliar with the

traditional print channels at GPO, so it will not be a comprehensive solution.

Incentive B

For agencies who wish to maintain access to their electronic information products themselves, encourage participation in the FDLP by offering to have the GPO Pathway locator services direct users to the agency Web sites. Also, offer to provide permanent access through the FDLP when the agency no longer has the desire or resources to maintain their electronic information products on their Internet sites. Partnerships between GPO and these agencies could be formalized through interagency agreements. Electronic information products transferred to GPO for the FDLP also would be transferred to NARA at the appropriate time and in formats acceptable to NARA. It should be noted that this transfer would not relieve the publishing agency of its archival responsibility without a change in the law or archival regulations.

Benefits

- More electronic information products are brought "officially" into the FDLP.
- Public access is improved because the GPO Pathway locator services provide a centralized mechanism for finding electronic Government information products on multiple Government Web sites.
- Permanent access to electronic Government information products through the FDLP is maintained.
- Whenever it is possible and cost-effective to do so, GPO will reformat agency information products into formats suitable for preservation and will transfer them to NARA at the appropriate time. With the necessary change in law or archival regulations, providing its electronic information products to GPO for FDLP distribution in these instances also would fulfill an agency's obligation to NARA.

Disadvantages/Problems

- Depository libraries that currently have little or no Web access cannot access electronic Government information products on these sites. This disadvantage will be reduced over time as depository libraries upgrade their equipment and Internet access.
- The willingness of GPO to provide permanent access is not an incentive for agencies to convert from print to electronic format, although it does have the potential to bring additional Government electronic information products into the FDLP.

ISSUES TO BE ADDRESSED

Need for Central Management of Public Access and Dissemination

The Government Printing Office is an important cog in the Federal Government procurement system. GPO has been very effective in procuring a myriad of crosscutting services far beyond simple printing. This is accomplished at the best price and quality level available in the United States. In the Government printing community there is a heavy reliance on the expertise and guidance of GPO staff in addition to printing procurement.

While the information management community may be decentralized, there should remain a central focal point and coordinated means for assuring public access to Government information products. As stated earlier, GPO is the recommended procurement source for Federal printing and is the coordinator for the FDLP. It is reasonable to assume that any program should only enhance what GPO now provides better than any other source. The natural progression is to

begin making GPO the Federal Government's information manager for public dissemination of Government information products.

Standard Formats for Electronic Government Information Products

The need for standard formats has been a key issue for a number of years. Now is an excellent time to address it. If standard formats are implemented, expenditures could be reduced in preparation, printing, distribution, storage and retrieval, archiving, and use of electronic Government information products.

Education and Outreach

Many agency IRM and program managers are unaware of the FDLP and their obligations to the program under 44 U.S.C. Chapter 19 and OMB Circular A-130. Some of those who are aware do not recognize the value of the program in providing public access to their electronic information products. To influence these managers it may be necessary to implement an outreach program highlighting what the FDLP is, the role it plays in providing public access to Government information, and agency obligations to the FDLP. The difficulty will be in locating those people within an agency who need to be contacted as responsibilities for dissemination of information becomes increasingly decentralized.

Attachment D-5

**Task 6: Evaluation of Current Laws Governing the
Federal Depository Library Program
and Recommendation of Legislative Changes**

TASK 6: Evaluation of current laws governing the Federal Depository Library Program and recommendation of any legislative changes necessary for a successful transition to a more electronic program.

Changes to 44 U.S.C. Chapter 19 would facilitate the transition to a more electronic Federal Depository Library Program (FDLP). The changes discussed below support the FDLP Study Report, particularly Section III, Principles for Federal Government Information, and Section IV, Mission and Goals for the Federal Depository Library Program.

SCOPE OF INFORMATION IN THE FDLP

Electronic Information to be Included

Electronic Government information products must be included in the FDLP in order to provide the broadest possible public access. The current definition of "government publication" in 44 U.S.C. §1901 needs to be broadened to include, without question, electronic information products. The following language, which would substitute new definitions, is one way to accomplish this:

"Government information" means Government publications, or other Government information products, regardless of form or format, created or compiled by employees of a Government agency, or at Government expense, or as required by law.

"Government information product" means a discrete set of Government information, either conveyed in a tangible physical format including electronic media, or made publicly accessible via a Government electronic information service.

"Government electronic information service" means the system or method by which an agency or its authorized agent provides public access to Government information products via a telecommunications network.

The purpose of this language is to broaden the scope of the chapter to include information in electronic formats, whether published as a tangible product or made accessible via a Government electronic information service.

"Cooperative Publications" Exclusion

Another consensus emerged from the Task 6 participants, as well as the broader FDLP Study working group relating to 44 U.S.C. § 1903. This section permits the exclusion from the FDLP of "so-called cooperative publications which must necessarily be sold in order to be self-sustaining." This exclusion has resulted in Government information of significant public interest being kept out of the FDLP. In the view of the Task 6 participants this exclusion should be eliminated.

Fee-based Electronic Services

The general public, through the FDLP, should have no-fee access to all Government information products meeting FDLP requirements. However, attaining this goal is often at odds with statutory or other requirements on agencies that fees be charged for access to their electronic information services. This situation might be resolved in two ways. Through legislative action, agencies could be directed to extend no-fee access to the public through depository libraries. Alternatively, funds appropriated to the Superintendent of Documents for the FDLP could be used to purchase depository library access from the originating agencies.

How Information Is Made Available

The decentralized characteristics of the electronic information environment make it impractical for any single organization to obtain all electronic information products for access and preservation, nor is such an approach cost-effective. Both FDLP Study working group and Task 6 participants envision that GPO would make information available to depository libraries and the public in a variety of ways. The centralized acquisition and distribution of tangible products would continue, as this activity has significant value to the depository library community. However, purely electronic Government information products could be accessible from a variety of Government electronic information services, including the *GPO Access* services. This could include services operated by the originating agencies or other entities acting as their agents, or by secondary disseminators. Language such as the following would clarify this approach:

The Superintendent of Documents shall make tangible products available through distribution to program libraries and shall direct program libraries and the general public to Government information products available via Government electronic information services.

Obtaining Copies of Products not Produced through GPO

Sometimes electronic Government information products are not included in the FDLP because they are not produced or procured through the Government Printing Office. The Task 6 participants agreed that the Superintendent of Documents should be authorized to use appropriated funds to obtain, on an incremental cost basis, copies of tangible electronic information products, particularly CD-ROM titles, which are produced or procured elsewhere than through GPO.

Agencies shall notify the Superintendent of Documents of tangible electronic information products which are to be produced or procured elsewhere than through the Government Printing Office and establish procedures whereby the Superintendent of Documents may obtain copies on an incremental cost basis.

Electronic Source Files

As nearly all Government information products exist in electronic form at some point in their life cycle, most FDLP Study participants concurred that the most cost-effective method of incorporating additional electronic information products into the FDLP was to obtain that source data from the originating agency. The following language provides one approach to obtaining these source data files:

Upon request of the Superintendent of Documents, agencies shall provide the Superintendent of Documents with electronic source data files of any Government information products falling within

the scope of this Section.

PERMANENT PUBLIC ACCESS TO GOVERNMENT INFORMATION

Historically, the FDLP, through the mechanism of the regional depository libraries, has guaranteed permanent access to tangible Government information products. With respect to purely electronic Government information, there is no parallel mechanism to ensure that this information is maintained for permanent public access.

Nearly all of the FDLP Study participants and FDLP stakeholders have raised issues concerned with maintaining electronic Government information products for permanent public access. The Task 6 participants agreed that GPO, as the administrator of the FDLP, should coordinate the development of a distributed system including the publishing agencies, GPO, the National Archives and Records Administration (NARA), and depository libraries for such purposes. The following language is one way to accomplish this:

The Superintendent of Documents will coordinate with issuing agencies, the National Archives and Records Administration, and with regional and other program libraries to establish a system so that Government information products available via Government electronic information services will be maintained permanently for program library and general public access. This system will utilize as one component the electronic storage facility established by the Superintendent of Documents under the provisions of Section 4101, Chapter 41, Title 44, U.S. Code.

REQUIREMENTS FOR DEPOSITORY LIBRARIES

Public Service

Depository libraries are expected to provide no-fee public access to Government information products included in the FDLP. For tangible information products, all but the regional depository libraries may select what products they wish to receive and add to their collections, based on their assessment of local needs. For purely electronic Government information, depository libraries are expected to provide no-fee public access to all such information provided under the aegis of the FDLP. FDLP electronic information products may be accessible from *GPO Access*, or the SOD Pathway locator services may direct and link users to other agencies' electronic information services.

The Task 6 participants agreed that the commitment to provide public service should be emphasized as a responsibility of any depository library. Language such as the following, which expands upon Section 1909, could clarify this point:

*Only a library able to properly maintain **and provide public access to** Government information and located in an area where it can best serve the public need, and within an area not already adequately served by existing program libraries may be designated ...*

Retention and Disposal of Government Information

In addition, a need to clarify and update the retention requirements on both regional and selective

depository libraries was identified. This could be accomplished, in part, by removing the specific five-year retention requirement from the statute, and allowing libraries to dispose of Government information products as authorized under guidelines to be issued by the Superintendent of Documents; and in part by the language such as the following:

Regional program libraries shall permanently retain at least one copy of all Government information products originally distributed either in printed, microform, or tangible electronic form, except superseded publications or those issued later in bound form which may be discarded. Other Program libraries may dispose of government information products as authorized by the Superintendent of Documents.

Such language would clarify that the regional depository libraries' responsibilities for retaining copies of tangible products, e.g. books, maps, CD-ROM titles, etc., are not extended automatically to electronic information products made accessible via Government electronic information services. Instead, regional depository libraries could elect to participate in the development of a distributed system for providing permanent public access to Government electronic information products.

NOTIFICATION

In order for the FDLP to function effectively in a decentralized electronic environment, timely notice is required so that GPO personnel can obtain and/or convert data and provide locator services. A requirement is needed that publishing components notify the Superintendent of Documents at such time as they initiate, substantially modify, or terminate Government information products. The following language is one way to accomplish this:

Agencies shall notify the Superintendent of Documents of their intent to initiate any Government information product and shall notify the Superintendent of Documents at such time as they substantially modify, or terminate a product available via a Government electronic information service.

COMPLIANCE ISSUES

There was a consensus among Task 6 participants that agency compliance with the FDLP requirements of Title 44 has long been an issue. Historically, Section 1903, which authorizes the SOD to pay for copies of products produced or procured through GPO, and which requires agencies to bear the cost of FDLP copies produced other than through GPO, has acted as an incentive for agencies to participate in the program. Nevertheless, there were numerous instances where agencies failed to comply with the Title 44 requirements, and the Section 1903 "incentive" is not as effective in its application to information published via a Government electronic information service. Regardless of the reasons for agency non-compliance, the result is that Government information products are unavailable to the public through the FDLP. A consensus emerged among Task 6 participants that statutory language is needed to improve program compliance among the agencies; however, no specific language was proposed.

CATALOGING AND LOCATOR SERVICES

Incorporating electronic information into the FDLP poses new challenges to users trying to find what they want. The Task 6 participants perceived a need to coordinate the traditional SOD cataloging activity,

covering tangible information products, with the developing suite of Pathway locator services directing users to information available from Government electronic information services. The following language, which would replace the existing Sections 1710 and 1711, is one way to approach this:

The Superintendent of Documents shall provide cataloging and locator services which will direct program libraries and the general public to Government information products.

The Superintendent of Documents shall create a comprehensive and timely catalog of tangible Government information products which will be accessible to program libraries and the general public. The Public Printer and the head of each agency shall immediately deliver to the Superintendent of Documents a copy of every tangible Government information product falling within the scope of Chapter 19 of this Title.

The Superintendent of Documents shall create an electronic directory of Government information products available via Government electronic information services as required by Section 4101 of Chapter 41, of this Title, which will identify, describe, and dynamically link users to information products available via Government electronic information services. When an agency makes an information product available only via a Government electronic information service, the agency shall immediately furnish information about that product to the Superintendent of Documents to enable the Superintendent of Documents to provide locator services.

REDESCRIBING THE PROGRAM TO REFLECT A CHANGING ENVIRONMENT

A consensus developed among Task 6 participants that the program should be redescribed to be more reflective of the electronic information environment. "Depository" was viewed as strongly linked to the old paradigm of shipping physical products, and did not adequately express the goal of public access to public Government information products. To express this aspect of the program more fully, and to emphasize the affirmative role of agencies to make their information available, the Task 6 participants suggested that the title of Chapter 19 could be changed to: "Public Access to Government Information through Libraries: The Federal Information Dissemination and Access Program."

New definitions such as the following would support such a change:

The "Federal Information Dissemination and Access Program" is a nationwide geographically-dispersed system, administered by the Superintendent of Documents, consisting of program libraries acting in partnership with the United States Government, established within this Chapter for the purpose of enabling the general public to have local access to Federal Government information at no cost.

This introduced a possible new term, "program library," which would replace the former "depository library," and might be defined as:

"Program library" means a depository or other library designated under the provisions of Chapter 19 which maintains tangible Government information products for use by the general public, offers professional assistance in locating and using Government information, and provides local capability for the general public to access Government electronic information services.

Attachment D-6

**Task 7: Survey of Federal Agencies to Identify CD-ROM Titles
Not Currently Included in the Federal Depository Library Program**

TASK 7: Survey of Federal agencies to identify CD-ROM titles that are not currently included in the Federal Depository Library Program (FDLP).

METHODOLOGY

Contacting Federal publishers concerning their CD-ROM publishing has been a shared effort by the Office of Management and Budget (OMB) and the Government Printing Office (GPO). OMB requested information from the executive branch publishing agencies, and GPO queried selected legislative and judicial branch publishers. Respondents were asked to include detailed information about their CD-ROM publishing activities since FY 1993 and to provide reasons for not including specific CD-ROM titles in the FDLP. The OMB memorandum was done in conjunction with their effort to gather data for the National Information Infrastructure initiative.

This task group hoped to identify specific reasons for participation and non-participation in the FDLP, in order to learn what motivates agencies. The responses were not sufficient to support a statistical analysis, but some general conclusions can be drawn from the responses.

These results are based on replies from 24 executive branch agencies, 2 legislative branch agencies, and 2 judicial branch organizations. Survey letters were sent to 35 executive agencies, including all cabinet level agencies. All cabinet level agencies except the Department of State responded, although State does have at least one CD-ROM title in the FDLP. However, the responses from many cabinet level agencies were obviously incomplete. For example, both the Bureau of Economic Analysis (BEA) and Bureau of the Census responded to the survey, but other Commerce agencies such as NTIS and NOAA which have major CD-ROM publishing programs did not respond.

In order to gain additional perspective on the agency responses, GPO gathered additional data from two sources. Records on CD-ROM titles in the FDLP were extracted from GPO's Acquisition, Classification, and Shipment Information System (ACSIS) and this information was compared with the CD-ROM titles reported by the agencies, in order to determine if GPO had distributed any CD-ROM titles which agencies reported as not in the FDLP.

GPO staff also reviewed records from the 1995 SIGCAT Compendium, a voluntary listing of CD-ROM titles, most of which are published by Federal Government agencies. Although the Compendium data is not directly comparable to the results from the OMB and GPO survey because of a different time period and other parameters, it did provide another means to assess agency responses.

SURVEY RESULTS

- The survey responses identified 215 CD-ROM titles. The agency responses identified only 91 (42.3%) as being distributed to depository libraries. An additional 27 titles (12.6%) were identified by GPO as being included in the FDLP, even though the publishing agencies stated that those title were not included. Therefore, altogether, 118 (54.8%) of the 215 titles identified by publishing agencies are in the FDLP.
- Three agencies, the Census Bureau, Department of Health and Human Services (DHHS), and the

Department of Education, accounted for 71 (78.0%) of the 91 CD-ROM titles reported by agencies as included in the FDLP. GPO records indicated that another 16 of the titles reported by these three agencies were actually in the FDLP, raising the total to 87 of a possible 118 (73.7%).

- Census reported providing 42 out of 66 CD-ROM titles, or 63.6% of its CD-ROM titles. According to GPO records, Census actually provided 56 of its 66 CD-ROM titles (84.8%).
- DHHS provided 16 out of 25 CD-ROM titles reported, or 64.0%, and GPO's records confirmed this report.
- Education acknowledged providing 13 out of 33 CD-ROM titles reported, or 39.3%. According to GPO records, it actually provided 15 titles (45.5%).
- No reasons for participation in the FDLP were expressed by any of the respondents. No reasons for non-participation were provided for 65 of the 117 titles (55.6%) identified by agencies as not included in the FDLP.
- Eight CD-ROM titles not included in the FDLP do have comparable titles in the program in paper, although it was not possible to determine if the content is identical.
- The two most frequent reasons given for non-participation were that the software license imposes a limit on the number of copies distributed (21 responses) and that title was produced or is available through the National Technical Information Service (NTIS) (14 responses). Other reasons include: forthcoming title (4); commercially developed and distributed (4); public availability under review (4); contains restricted or confidential information (2); distributed by another agency (1); and an offer to arrange to include the title in the FDLP (1). Several responses included more than one reason.
- Judiciary and legislative branch responses indicated little to no CD-ROM publishing activities to date. However, both the Supreme Court and the Administrative Office of the U.S. Courts mentioned an interest in future CD-ROM development. The Library of Congress response included a list of eleven CD-ROM titles, all of which were bibliographic in nature and all of which were excluded from the program as cooperative publications and/or due to licensing restrictions. LC did not report any of its American Memory discs or other CD-ROM titles.

Agency Name	Number of Titles Reported: Agencies	Number of Titles in the FDLP: Agency Reported	Number of Titles in the FDLP: GPO Confirmed	Number of Titles Reported: 1995 SIGCAT
EXECUTIVE				
Agriculture	13	0	0	13
Commerce/BEA	2	2	2	0
Commerce/Census	66	42	56	104
Defense	8	3	3	14
Education	33	13	15	9
Energy	5	1	3	0
EPA	5	0	3	6
FCC	11	0	0	0
FDIC	1	0	0	0
Health	25	16	16	17
HUD	0	0	0	1
Interior/USGS	13	1	8	67
Justic	1	1	1	2
Labor	6	3	4	3
NARA	1	1	1	2
NASA	0	0	0	107
NRC	0	0	0	0
NSF	1	0	0	0
OMB	0	0	0	0
SBA	0	0	0	0
Transportation	9	5	5	2
Treasury/IRS	2	2	2	1
USIA	0	0	0	0
Veterans	2	1	1	0
JUDICIAL				
Supreme Court	0	0	0	0
Admin. Office	0	0	0	0
LEGISLATIVE				
GAO	0	0	0	0
LC	11	0	0	3
TOTAL	215	91	118	351

ADDITIONAL OBSERVATIONS

Some executive agencies with significant CD-ROM publishing activities did not respond to the survey, or responded that they have no CD-ROM titles when other information suggests that they have many. For example, a search of the 1995 SIGCAT CD-ROM Compendium database identified 107 CD-ROM titles issued by NASA, which reported no CD-ROM titles in response to the survey. A similar search identified 104 titles from NOAA and 54 from NIST, although neither agency responded to the survey.

In discussions not related to this task force report, agencies have identified other reasons for not including their CD-ROM titles in the FDLP. These reasons included a lack of awareness of the program or its benefits; miscellaneous software licensing issues; or that their discs were cooperative publications which must be sold in order to be self-sustaining, as defined in 44 U.S.C. §1903.

ISSUES TO BE ADDRESSED

Agency Responsibilities for Dissemination Through the FDLP

Some agencies believe that making their products available through NTIS satisfies their public dissemination obligations, although OMB Circular A-130 states that it is good public policy to include agency electronic information products in the FDLP. There is unresolved disagreement between various program stakeholders as to whether current law requires CD-ROM titles to be in the FDLP. This issue hinges on the definition of a publication codified in 44 U.S.C. §1901 and §1902.

Software Licensing

Restrictions arising from software licensing arrangements affect not only the cost, but the availability of CD-ROM products. All Government information products provided through the FDLP, including CD-ROM titles, remain the property of the Government, so FDLP copies can fall within contractual language that restricts the software to Government use. Agencies may need to consider FDLP requirements and include appropriate language in their contracts in order for their discs to be included in the FDLP. GPO can (and has) contracted for software licenses for sales and depository copies when agency licenses do not cover GPO dissemination.

Awareness of the FDLP/Communications

Since CD-ROM titles may be produced by agency personnel unfamiliar with traditional printing arrangements there can be a lack of communication within the publishing agency which results in discs not being included in the FDLP. In addition, not all relevant personnel within the agency may be aware of how their information products reach the public. Thus, even agencies like Census and Education that work closely with GPO and are committed to including their information in the FDLP do not always know which of their titles are and are not in the program. A program of improved communication or outreach to agencies may be necessary to ameliorate this situation.

Attachment D-7

Task 8A: Case Study on Congressional Bills

TASK 8A: Evaluation of the costs and benefits of converting Congressional bills and resolutions to electronic formats for distribution through the Federal Depository Library Program.

BACKGROUND

The legislative agenda of each Congress determines the number of bills introduced. Therefore, although it is possible to determine the average number of bills per session this average does not accurately predict the number of bills that will be produced in any particular session. For the 102nd and 103rd Congressional Sessions, the total number of bills and resolutions simple, joint and concurrent was 24,543. All published versions of bills are available electronically via Internet or asynchronous connection through *GPO Access*. Files are available in both ASCII and Adobe Acrobat Portable Document Format (PDF). PDF files provide users with an exact image of the typeset page. With an Adobe Acrobat Reader, available at no cost from GPO or Adobe, users can view, navigate and print Congressional bills exactly as they appear in the original typeset version, including all fonts, graphics and formats.

FEDERAL DEPOSITORY LIBRARY DISTRIBUTION

Congressional bills on microfiche are selected by 859 depository libraries. This item selection includes House and Senate Bills, Resolutions, Joint Resolutions and Concurrent Resolutions on microfiche. The cost to the FDLP per session of Congress for the production and distribution of Congressional bills and resolutions on microfiche is approximately \$94,940.

Prior to December 1995, when free public access to the *GPO Access* databases was announced, the electronic bills were selected by 544 depository libraries. WAIS access to Congressional bills, joint, concurrent and simple resolutions was selected by 199 libraries, and SWAIS access was selected by 257 libraries. Both types of access were selected by 88 libraries. However, these figures do not represent the total number of depository subscriptions to the electronic services because each depository library could register for as many as 10 subscriptions while being counted as having made only a single item selection.

Currently, depository libraries may select Congressional bills and resolutions in both microfiche and electronic formats. Under the policies laid out in the *Federal Depository Library Program: Information Dissemination and Access Strategic Plan, FY 1996 - FY 2001* (Strategic Plan) for the FDLP, this will no longer be an option for depository libraries as all dual distribution will be discontinued. The Strategic Plan specifies that:

Redundant dissemination of content in different formats; e.g. paper and microfiche, or microfiche and electronic, or CD-ROM and online, will be reduced. In making the decision to eliminate redundant versions of the same content, LPS will consider such factors as the usability, intended audience, time sensitivity, and costs of the various formats. Only "core" paper titles such as those listed in Appendix A represent potential duplicate distribution, as their content also may be available electronically.

DISSEMINATION ALTERNATIVES

Alternative A

Eliminate all microfiche distribution to depository libraries and make Congressional bills and resolutions available strictly through the *GPO Access WAIS* server. The PDF files for the bills also could be mounted for FTP download. This would allow libraries who only have access to the bills database through SWAIS to obtain the more useful PDF files.

Benefits

- Timely delivery of the information.
- \$94,940 currently spent for microfiche distribution is saved, although this is offset by increased depository usage of the WAIS server.
- No new product development is required.
- PDF files provide exact images of the typeset bills and can be searched, printed, and cut and pasted into other documents. Therefore the information is more useful in this format than it is on microfiche.

Disadvantages/Problems

- Distribution costs will be higher than for microfiche. It is estimated that 11.41% of the WAIS server currently is being used for the bills database. Based upon this figure, the estimated percentage of WAIS costs that can be attributed to the bills database is \$138,000 per year. This is \$43,060 more than distribution costs for microfiche. However, as the bills currently are distributed in both microfiche and electronic format, moving solely to electronic dissemination will reduce costs overall by eliminating dual distribution.
- The number of depository libraries that will be able to access this information will decline. Preliminary results from the 1995 Biennial Survey indicate less than 50% of depository libraries have computer terminals with Internet access available for public use. Of those libraries who do not provide Internet access for the public, 169 (12.3%) said they have no plans to obtain it. The percentages of depository libraries with Internet access for public patrons are as follows:

E-mail	21.4%
Telnet	38.9%
FTP	30.8%
World Wide Web (graphical)	37.6%
World Wide Web (non-graphical)	27.3%

The revised minimum technical guidelines for depository libraries (January 1995) recommend that libraries try to establish a SLIP/PPP Internet connection. The Depository Library Council has recommended that these guidelines be made requirements effective October 1, 1996.

- As more Congressional sessions are added to the *GPO Access* WAIS server it will be necessary to remove older, less frequently used bills. If depository access to historical files is to be ensured, a less costly, permanent access method will be needed to supplement access to the bills through *GPO Access*. This may mean production of a CD-ROM or mounting of the PDF and ASCII files for FTP downloading after a predetermined period of time.

Alternative B

Eliminate microfiche distribution of the Congressional bills and resolutions in favor of a monthly cumulative CD-ROM containing the PDF files. Depository libraries still would be able to access the *GPO Access* service. Producing and distributing 12 discs a year would cost approximately \$60,908. This figure can be broken down as follows:

Mastering of twelve discs per year	\$ 21,000
Replication of 859 discs plus 20 claims copies @ \$3.50 distributed monthly	\$ 36,918
Postage (estimated \$0.29 per disc)	\$ 2,990
Total cost of discs distributed monthly	\$ 60,908

Benefits

- Total costs savings of \$34,032 over the current cost for microfiche distribution of the same material.
- Depository libraries are better equipped to handle CD-ROM titles than they are to handle Government electronic information services. According to preliminary results from the 1995 Biennial Survey, 83.1% of all depository libraries had CD-ROM capability at a stand-alone workstation. In addition, the revised technical guidelines for depository libraries recommend libraries acquire a single or multiple platter CD-ROM drive compatible with the ISO 9660 standard.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. However, the longevity of the retrieval and display software frequently used on CD-ROM titles is less certain due to dependency on specific computer operating systems or other technology that may become obsolete more rapidly than the physical media.
- The PDF files provide exact images of the typeset bills and can be searched, printed, and cut and pasted into other documents. Therefore the information is much more useful in this format than it would be on microfiche. However, although PDF is an open format, it is software dependent and therefore not accepted by NARA for preservation.

Disadvantages/Problems

- Although timeliness of a monthly CD-ROM might be equivalent to that of microfiche, it does not compare with the speed at which information could be made available through an electronic information service.

ISSUES TO BE ADDRESSED

Technical Capabilities of Depository Libraries

Information currently available concerning the technical capabilities of depository libraries and the technical expertise of both libraries and their patrons is not substantive.

As more information in the FDLP is converted to electronic formats and discontinued in paper and/or microfiche, the number of, and cost for, computer terminals, CD-ROM drives, printers, and other equipment and software needed to access Government information becomes increasingly relevant. Preliminary estimates from the 1995 Biennial Survey of depository libraries indicate that almost 7% would withdraw or consider withdrawing from the program if it became exclusively electronic.

Attachment D-8

Task 8B: Case Study on the Congressional Serial Set

TASK 8B: Evaluation of the costs and benefits of converting Congressional Documents and Reports to electronic format for distribution through the Federal Depository Library Program, even though currently a substantial amount of the source data is not available to GPO in machine readable form.

METHODOLOGY

The *Report of the Serial Set Study Group* was submitted to the Public Printer on October 7, 1994. That report identified the then current costs of producing the Serial Set (Documents and Reports) and projected costs for four dissemination alternatives, including several electronic options. This report re-examines those options in light of current GPO technical capabilities and refined cost data. [Note: for the purpose of this task, the focus will be on distribution to depository libraries, not on distribution to International Exchange System partners (16) or posterity (22) libraries.]

BACKGROUND

The U.S. Congressional Serial Set comprises a significant portion of the historical record of the work of Congress. The legal basis for the compilation, binding, numbering and distribution of the bound Serial Set is contained in 44 U.S.C. §701, §719 and §738. The Serial Set currently includes Senate and House documents, congressional committee reports, Presidential and other executive publications, treaty documents, and selected reports of non-governmental organizations.

From June 13, 1994 to October 7, 1994, the Serial Set Study Group examined alternate formats and cost reduction strategies for issuing the Serial Set (Documents and Reports). The study group consisted of representatives from the Government Printing Office (GPO), the Joint Committee on Printing (JCP), and the library community. The final report from the Serial Set Study Group evaluated the benefits and drawbacks of various dissemination alternatives.

Since the 1994 Report of the Serial Set Study Group, new cost data has come to light. GPO's CD-ROM production capability and the cost to produce discs now is very clearly defined, and shows a significant reduction over the cost estimates projected in the 1994 Report. The 1994 Report based CD-ROM costs on the estimate of producing the test disc for the Congressional Record CD-ROM Pilot Project. The cost estimate to master the disc for that project was \$212,900. More than half of that cost, \$130,000, was to write and test software. Current GPO CD-ROM production costs are much lower.

GPO receives approximately 80% of reports from Congress in machine readable format and 20% as camera copy. Documents are more of a problem; only 20% are received from Congress in machine readable format and 80% as camera copy. It is necessary either to obtain electronic source files from Congress or convert the information received in camera copy to machine readable form by scanning it using software such as Adobe Acrobat Capture. Proofing and correction are necessary to assure accuracy of the data recognized by the software. If the Acrobat software does not recognize portions of the document, it converts what it cannot read to an image. The images are non-searchable, making the entire document less useful. The current resolution of these images is only 300 dots per inch (d.p.i.), an inadequate resolution for effective use, and the scanned images increase the file size substantially, inhibiting remote access. Scanning will remain necessary unless arrangements can be made to receive all of this information in machine readable format from the Congress, or the organizations that submit the

information to Congress. Consequently, either a CD-ROM or online version of the Serial Set is feasible only if Congress requires that the component Documents and Reports not typeset at GPO are provided to GPO in a usable electronic format.

FEDERAL DEPOSITORY LIBRARY DISSEMINATION

Every depository is eligible to receive both slip publications and the bound Serial Set in either paper and/or microfiche format. Depository libraries that select the Serial Set in microfiche (755) receive a paper copy of material too graphically intensive (i.e. four color process) to be practical for conversion to microfiche. The 1994 Report of the Serial Set Study Group indicated that for the 101st Congress, 463 libraries selected the bound Serial Set and the slips in paper format (as well as 16 International Exchange and 22 posterity libraries). The current cost of dissemination per session, based on the actual costs for the 101st Congress, as reported in the 1994 Report of the Serial Set Study Group, is \$1,567,000. Most Documents and Reports also are available now through *GPO Access*.

DISSEMINATION ALTERNATIVES

Alternative A

The 1994 Serial Set Study Group recommended that regional libraries receive the bound Serial Set in paper format and Documents and Reports in a CD-ROM version. Selective libraries could choose access to the slip documents through the *GPO Access* service in lieu of either paper or microfiche. They also would be able to select either the bound Serial Set in paper or the Documents and Reports CD-ROM.

Benefits

- Depository libraries have a wide variety of formats to select.
- A phased-in change would minimize the effects of electronic conversion on depository libraries.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. However, the longevity of the retrieval and display software frequently used on CD-ROM titles is less certain due to dependency on specific computer operating systems or other technology that may become obsolete more rapidly than the physical media.

Disadvantages/Problems

- Costs are difficult to quantify, but will be higher under this phased-in approach.
- The discs will contain files that are not entirely searchable. This will be a continuing problem until GPO can negotiate with Congress to receive all Documents and Reports in machine readable format or scan and convert camera copy to machine readable format.

Alternative B

Paper copies of the bound Serial Set would go to regional libraries and one library in each state without a regional (62 copies, down from current 425). Libraries not eligible for paper copies would be able to select the CD-ROM set. Reports and Documents discs would be issued quarterly. Each CD-ROM would cumulate for the session. The fourth CD-ROM would be a final version at the end of the session. All depository libraries also would have the option of accessing Documents and Reports from *GPO Access*.

Benefits

- Costs for CD-ROM and limited paper distribution would be \$391,996 per session, a total cost savings of \$1,070,004 from current costs for paper distribution to selective depository libraries.
- Depository access to Documents and Reports will be enhanced if arrangements can be made for GPO to receive electronic copies in a format that allows rapid conversion and upload.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. [See above.]

Disadvantages/Problems

- Some materials are so graphically intensive or otherwise structured so as to make conversion to electronic formats difficult. Current efforts to place Documents and Reports online are leaving off some graphically intensive items. Eventually all Documents and Reports will be added to the *GPO Access* service, but it is taking longer to provide online access for these type of information products. For example, as of October 25, 1995, the following Documents and Reports were missing from *GPO Access* for the 104th Congress:

Senate Reports:	3 of 153 or 1.96%
House Reports:	2 of 272 or 0.74%
House Documents:	17 of 119 or 14.29%
Senate Documents:	4 of 7 or 57.14%
Treaty Documents:	2 of 21 or 4.76%
Executive Reports:	0 of 9 or 0%

- The CD-ROM set will contain files that are not entirely searchable unless all of the information is submitted initially in machine readable form.
- It is very difficult to ascertain conversion costs for the current effort to place Documents and Reports online, since all GPO WAIS work, except GAO Reports, is charged to a single cost "jacket." However, GPO's production staff indicated that putting Documents and Reports online is consuming a total of 6 hours a day for a 5 day work week.

Alternative C

The same provisions outlined in Alternative B would apply under this alternative. However, GPO would provide paper copies for any Documents and Reports too graphically intensive to practically convert to electronic format. To determine the impact of continuing this policy, the production records for the 100th and 101st Congresses were examined. Of the Documents and Reports issued, only 10 Serial Set volumes (9.57%) from the entire 101st Congress, and 13 Serial Set volumes (8.44%) from the 100th Congress were not microfilmed. GPO sent microfiche dividers for those publications indicating that the material would not be available on microfiche, and depository libraries subsequently received paper copies of those missing microfiche publications.

Benefits

- Libraries would receive paper copies of Documents and Reports too graphically intensive to convert to electronic format.

Disadvantages/Problems

- Partial distribution in paper would cost \$78,194 per session more than distribution solely in electronic format. This still results in a total savings of \$990,809 over current distribution costs.

ISSUES TO BE ADDRESSED

Depository Library Capabilities

The capability of depository libraries to deal with electronic formats of Documents and Reports and other electronic publications in the FDLP should be studied in depth before converting a significant portion of depository material to electronic format.

Cost Shifting to Depository Libraries

Hardware and software needed to use electronic information is costly for depository libraries. In addition, patrons usually only have a limited number of workstations available to access electronic information products, while different copies of paper and microfiche material can be used by many patrons simultaneously. With electronic Government information products, depository libraries do save the processing and storage costs associated with traditional formats.

Permanent Access to Information

Depository libraries are concerned about the continued availability of depository publications. Paper and microfiche formats have life spans that can be reasonably predicted. Electronic formats, in rapidly changing formats, generally have less clearly defined life spans.

Need for Machine Readable Information

GPO must explore methods of obtaining all Documents and Reports from Congress in machine readable form in order to improve the quality and usefulness of the electronic files, or establish a cost-effective means to convert camera copy to electronic format. With currently available

software, neither a CD-ROM or online version of the Serial Set is feasible unless Congress requires that the component Documents and Reports not typeset at GPO are provided to GPO in useable electronic format.

Attachment D-9

Task 8C: Case Study on the Department of Energy (DOE) Research Reports

TASK 8C: Determination of the costs and the impact on public access to the Department of Energy (DOE) technical reports through the FDLP as the Office of Scientific and Technical Information (OSTI) moves forward with its efforts to convert these reports from microfiche to electronic format.

BACKGROUND

The Department of Energy's Office of Scientific and Technical Information (DOE/OSTI) is in the process of making the transition from microfiche to electronic dissemination. DOE/OSTI is planning a transition to managing information in an electronic environment while retaining a variety of traditional, as well as electronic, dissemination options. The electronic information management transition is scheduled for the end of FY 1996. Following the transition, information delivery capabilities will include both traditional and new media options.

The DOE/OSTI relationship to their laboratories' information has been described as "centralized management of a decentralized environment." DOE/OSTI, in partnership with DOE Program Offices, national laboratories, and other contractors, is working to implement electronic exchange and management of the Department's scientific and technical information. Ultimately, DOE/OSTI expects to receive machine-readable data instead of printed reports. Documents submitted in print probably will be scanned to TIFF Group 4 (CCITT Standard) format. The image files for the reports may be linked to announcement records and made available on the DOE/OSTI Web site.¹ However, final access plans for full text electronic information and corresponding bibliographic records have yet to be determined. Multiple information delivery options may be possible. Final plans for access and cost recovery requirements are being studied. No cost recovery structure or free dissemination policy has been established yet, but DOE/OSTI may have to charge to recover costs.

FEDERAL DEPOSITORY LIBRARY DISTRIBUTION

GPO and DOE/OSTI entered into an Interagency Agreement (IA) in 1984. The purpose of the agreement, which has been extended through September 30, 1997, is to provide depository libraries with distribution services for microfiche copies of DOE publications (reports). Approximately 225 depository libraries receive DOE reports from DOE/OSTI. An average DOE report title is selected by 135 depository libraries.

Funding for the agreement is a shared responsibility of GPO and DOE/OSTI. Following Section 1903 of Title 44, U.S.C., GPO pays only the distribution costs for these publications because they are not produced or procured through GPO. DOE/OSTI is reimbursed by GPO for distribution costs from the Salaries and Expense Appropriation, which funds the operation of the Federal Depository Library Program (FDLP). DOE/OSTI absorbs the reproduction costs of the copies of DOE reports they produce in microfiche format for depository libraries.

The basic responsibilities of each agency under the IA are as follows:

¹DOE/OSTI has not yet made a final determination on access options. At the time this task force report was released it appeared as if access through the DOE/OSTI Web site was most likely.

DOE/OSTI:

- 1) Distributes DOE reports in microfiche to the depository libraries using distribution profiles specified by GPO based on the selections of the libraries.
- 2) Fulfills depository library claims for missing publication(s).
- 3) Makes shipments to depository libraries at the most economical rate for each shipment.
- 4) Provides announcements, abstracts and indexing services for these reports, through both print media and DOE electronic information services. (GPO does not catalog these publications or list them in the *Monthly Catalog*.)

GPO:

- 1) Pays the shipping costs for DOE publications.
- 2) Reimburses the negotiated cost for distribution and handling.
- 3) Provides to DOE/OSTI mailing lists of depository libraries indicating which categories of reports the libraries are to receive.

The following statistical and cost data is taken from fiscal years 1993 through 1995. For each fiscal year, the total cost budgeted for distribution of DOE microfiche, and the number of titles and copies distributed is shown.

Fiscal Year	Amount GPO Reimburses DOE/OSTI	Unique Reports	Average No. Libraries Selecting Each Title	Copies Shipped	GPO's Cost Per Copy
1993	\$146,000	13,900	147	2,043,963	\$0.139
1994	\$181,433	15,365	145	2,231,929	\$0.123
1995	\$196,208	17,117	135	2,317,335	\$0.118

DOE reports produced in microfiche will be available to depository libraries throughout FY 1996. Beyond that time, as stated in the Background, "No cost recovery structure or free dissemination policy has been established yet, but DOE/OSTI may have to charge to recover costs." Resolution of this issue will be based on further analysis of access options.

DISSEMINATION ALTERNATIVES

Alternative A

DOE/OSTI allows unlimited free access to depository libraries through its Web site. No tangible information products (microfiche, hard copy, or CD-ROM) will be available through the FDLP.

Benefits

- Results in an estimated cost savings to the Government of at least \$200,000 annually; the amount that GPO formerly spent on microfiche distribution. While DOE/OSTI may realize some cost-savings from electronic dissemination, the projected savings probably will not amount to the estimated \$300,000 that DOE/OSTI formerly spent on microfiche production for depository libraries. There will be some offsetting cost increases associated with acquiring new information technologies, information delivery, and providing permanent access. Under this alternative, DOE/OSTI would absorb such costs.
- Additional libraries will be able to serve the public with electronic access to the DOE Web site. The selection of DOE reports will be made on a just-in-time, rather than a just-in-case, basis. Libraries will obtain only those titles actually needed by their patrons.

Disadvantages/Problems

- Savings to DOE from eliminating microfiche are offset, at least in part, by increased costs for such things as additional computer resources and user support. Usage by depository libraries would involve some incremental expense for DOE/OSTI.
- Depository libraries and users who access the DOE Web site through a modem, rather than a full Internet connection, will experience difficulties downloading because of the size of the image files.

Alternative B

DOE/OSTI allows depository access to its Web site, with the incremental costs of FDLP usage paid from GPO's S&E appropriation. No tangible information products (microfiche, hard copy, or CD-ROM) will be available through the FDLP.

Benefits

- As with Alternative A, additional libraries will be able to serve the public with electronic access to the DOE Web site.
- The selection of DOE reports will be made on a just-in-time, rather than a just-in-case, basis. Libraries will obtain only those titles actually needed by their patrons.
- Results in an estimated cost savings to the Government of at least \$200,000 annually; the amount that GPO formerly spent on microfiche distribution. As in Alternative A, there will be some offsetting cost increases associated with acquiring new information technologies, information delivery, and providing permanent access. Under this alternative, DOE/OSTI would recover a

portion of such costs from GPO for depository library use.

Disadvantages

- The potential savings to GPO from eliminating microfiche may be offset substantially by fees paid to DOE/OSTI for depository access. Unless an estimated or negotiated fee is established, this would be more expensive to GPO than Alternative A.
- DOE/OSTI and GPO would need to develop a cost-recovery fee schedule for this alternative. Although a negotiated amount could be less problematic to administer, it might not accurately recover the costs associated with depository library usage. However, the administrative burden of measuring FDLP usage might increase costs for both DOE/OSTI and GPO.
- Depository libraries and users who access the DOE Web site through a modem, rather than a full Internet connection, will experience difficulties downloading because of the size of the image files.

Alternative C

In lieu of access to the DOE Web site, the information could be made available to depository libraries on CD-ROM discs that are "packed" with reports in random order. GPO would acquire the DOE image files for material suitable for depository distribution and premaster the discs. In estimating costs for this alternative, it was assumed that no customized distribution would be available, and that each CD-ROM would be sent to 225 libraries, the number which currently select DOE reports. DOE/OSTI estimates 125 reports could be included on each CD-ROM. Assuming issuance of 15,000 reports per year, this would require 120 discs. Costs to the FDLP would include \$40,500 for disc replication and additional costs of approximately \$87,000 per year for premastering (4-6 hours of preparation @ \$75/hr + \$350 master disc = \$725 per disc X 120 discs per year).

Benefits

- Currently depository libraries are better equipped to handle CD-ROM titles than to provide Web access. The 1995 Biennial Survey of Depository Libraries showed that 83% had a stand-alone workstation with CD-ROM drive available for their public patrons.
- CD-ROM provides for permanent access to the reports in locations throughout the country, without dependence on the DOE Web site.
- Downloading large image files locally from the CD-ROM set will not be as difficult as access to the DOE Web site through a modem.
- DOE computer resources do not experience additional load from depository library or general public access, since public users can be directed to depository libraries.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. However, the longevity of the retrieval and display software frequently used on CD-ROM titles is less certain due to dependency on specific computer operating systems or other technology that may become obsolete more rapidly than the physical media.

Disadvantages/Problems

- CD-ROM access will not be as timely as direct access through a Government electronic information service, but will be comparable in timeliness to the current microfiche distribution.
- Additional costs will be incurred by GPO to create and maintain indexes to locate specific reports on the multi-disc set.
- As with the microfiche, depository libraries that do not select the DOE reports on CD-ROM will continue to depend on other depository libraries for access to individual DOE reports. Users will have to go to one of the depository libraries that has the DOE reports on CD-ROM to use the materials.

ISSUES TO BE ADDRESSED

Permanent Public Access

There is no mechanism or policy in place to ensure permanent public access when dissemination is from an agency Web site. There is no guarantee that if information is removed from a Web site the information will remain available to the FDLP. GPO will seek to establish arrangements under authority of the FDLP among program partner organizations, including agencies, GPO, NARA, or cooperating depository libraries, to ensure permanent access to the information for depository library and public use.

Agency Missions and Constituencies

Many Web sites are created in order to serve an agency's primary constituency. Use of these Web sites by the general public through the FDLP may strain an agency's equipment and tie up limited access channels, potentially blocking out constituents for whom the site was created in the first place.

Possible Limitations or Restrictions on Depository Library Access

Depository libraries need to be able to access agency Web sites to serve multiple simultaneous users, particularly in institutions which have a high level of interest in scientific and technical information among their users. Agency services should be designed to permit multiple simultaneous users from the same depository library, without such limitations as a single-user password.

Attachment D-10

Task 8D: Case Study on the Office of Technology Assessment (OTA) Reports

TASK 8D: Identification of issues that must be addressed when an agency no longer makes electronic information products available at its Web site and the site contains information that needs to remain available to the public through the Federal Depository Library Program (FDLP) and/or to be transferred to the National Archives and Records Administration (NARA).

BACKGROUND

The use of Web sites as a means to disseminate information is becoming increasingly common among Government agencies. It is also likely that agencies will begin to use their Web sites to distribute information not available in any other format. These Web sites are in essence forms of publication and therefore may be Federal records as defined by 44 U.S.C. §3301. However, the ease in which these sites can be established and modified creates problems for both the Government Printing Office (GPO) and the National Archives and Records Administration (NARA) which share an interest in identifying and preserving the valuable information on these Web sites.

GPO and NARA have dissimilar, but complementary, goals to assure public access for the full life cycle of this information. GPO must address measures that ensure permanent public access for information products on Internet sites that is within the scope of the FDLP¹. NARA focuses narrowly on that portion of the information which has historic value. Its goal is to assure preservation of information². Records schedules can serve as a tool for identifying these sites, but GPO and NARA will have to work together to create ways in which information can be transferred without added burden to publishing agencies.

In addition to any agency transfer of information products, NARA accepts for deposit from GPO one copy of every information product cataloged through the Cataloging and Indexing Program and/or distributed by GPO through the FDLP. GPO transfers a full collection to NARA after the completion of each four-year Presidential term. These procedures have resulted in the granting of preservation status within NARA to all Government information products in the CIP or FDLP as part of the definitive official collection of U. S. Government publications. At present this status is extended to all paper and microfiche publications and to all electronic products that are in formats acceptable to NARA for archival purposes (36 CFR 1228.188). Recently NARA has begun to accept for reference purposes only, without accessioning for preservation, CD-ROM titles and other electronic products that are software dependent and, therefore, not in archival format.³

Issues concerning near-term, permanent access to, and preservation of, information on agency Internet

¹For purposes of this report, permanent access means that Government information products within the scope of the FDLP remain available for continuous, no fee public access through the program. For emphasis, the phrase permanent public access is sometimes used with the same definition.

²For purposes of this report, preservation means that official records of the Federal Government, including Government information products made available through the FDLP, which have been determined to have sufficient historical or other value to warrant being held and maintained in trust for future generations of Americans, are retained by the National Archives and Records Administration (NARA).

³NARA accepts such materials for reference purposes only and maintains them for public use so long as the technology and software permit. However, NARA does not take extraordinary measures to ensure long-term access or preservation of the content, and such a transfer does not meet the publishing agency's obligation for transfer of the information to NARA for preservation.

sites were brought to the forefront by the closing of the Office of Technology Assessment (OTA) on September 29, 1995. OTA's Web site, OTA Online, included a catalog of all the reports produced by OTA from 1972 to 1995, ASCII text files of the 1994 reports, and both ASCII and Adobe Acrobat Portable Document Format (PDF) files of the 1995 reports. The 1995 reports include some reports that will not be published formally. OTA made arrangements to mount information from OTA Online on GPO's Web site. The final transfer to GPO is scheduled for Summer 1996. Since November 1, 1995, the OTA Web site also has been mirrored by the National Academy of Sciences and the Woodrow Wilson Public and International Affairs at Princeton University.

OTA also has a contract to scan the texts of all their reports dating from 1972 and convert them to PDF. The PDF files will be packaged on a set of five CD-ROM discs, along with much of the information available via OTA Online and some additional historical material. The CD-ROM collection will be distributed to depository libraries and sold through GPO.

FEDERAL DEPOSITORY LIBRARY DISTRIBUTION

Most of the OTA information available in electronic format is available in other formats through the FDLP. The only exceptions are the reports and/or summaries that still are being completed and will not be published formally.

DISSEMINATION ALTERNATIVES

Alternative A

GPO will mount the information from OTA on its own Web site for depository library access. When available, both ASCII and PDF files will be offered. The CD-ROM collection of OTA reports will be distributed to depository libraries upon completion.

Benefits

- Permanent public access to the information is maintained through the FDLP.
- A variety of methods are available for accessing OTA information.
- At the present time more depository libraries are equipped with CD-ROM drives than have Web access for the public.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. However, the longevity of the retrieval and display software frequently used on CD-ROM titles is less certain due to dependency on specific computer operating systems or other technology that may become obsolete more rapidly than the physical media.

Disadvantages/Problems

- Some OTA information is distributed to depository libraries in three different formats: paper, CD-ROM, and through the GPO Web site.
- GPO incurs additional costs for maintaining the information on its Web site. OTA is responsible only for the costs related to the initial mounting of the information.
- Reports that have been scanned are not entirely searchable. Although the reports will be scanned using Adobe Acrobat Capture, which will convert them to machine readable form, non-recognizable text will be retained as images. In addition, due to time constraints, the scanned reports will not be reviewed.
- The PDF format is software dependent and therefore not an acceptable format for preservation by NARA. However, NARA could accept the CD-ROM set from GPO for reference purposes as part of the definitive official collection of U. S. Government publications.⁴

Alternative B

The OTA CD-ROM set will be distributed to depository libraries. After a predetermined period of time, OTA information will be removed from the GPO Web site.

Benefits

- Permanent public access to the information is maintained through the FDLP.
- More depository libraries are equipped with CD-ROM drives than have Web access for the public.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. [See above.]
- Dual distribution in electronic format is eliminated.

Disadvantages/Problems

- Scanned reports contain non-searchable portions and are not reviewed.
- The CD-ROM set cannot be accessioned by NARA for preservation because it uses the PDF software-dependent format. [See above.]
- Public access to the reports is available only at or through depository libraries, although as

⁴When NARA accepts materials in software-dependent formats for convenience of reference, NARA maintains them for public use as long as the technology and software permit. However, NARA does not take extraordinary measures to ensure long-term access to, or preservation of, the material. Furthermore, such a transfer does not meet the publishing agency's obligation for transfer of the information to NARA for preservation unless it also includes the software to migrate the information to a software-independent format, so that NARA can preserve it on an archival media.

mentioned, there are two other private Web sites that will be providing this information for at least a period of time.

ISSUES TO BE ADDRESSED (FDLP)

Archival Responsibilities

Whenever possible, GPO will coordinate with NARA to transfer electronic information products distributed to depository libraries or held by GPO for remote access to NARA for preservation. If GPO makes agency electronic information products available for remote access, then the information becomes part of GPO's records and GPO will be responsible for its disposition (or transfer) to NARA as part of the official collection of Government information products listed in the *Monthly Catalog* or distributed through the FDLP. If an agency has maintained its electronic Government information products and GPO points to the agency electronic information service for the FDLP, it will be the legal responsibility of the individual agency to transfer their information products to NARA.

GPO and NARA will need to determine whether statutory changes are needed to clarify each agencies' respective roles and responsibilities for permanent access and preservation of electronic Government information products.

Life Cycle of Electronic Government Information Products

GPO and NARA will need to define a life cycle for electronic Government information products, beginning with the original document as an electronic file and ending with its final disposition. It is NARA's responsibility to determine whether an electronic Government information product warrants continued preservation by the Government. This responsibility is distinct from GPO's responsibility to provide permanent public access to the same information through the FDLP. In accordance with its responsibility for assuring permanent access, GPO will assume such costs as data preparation for mounting, maintenance and storage, as well as ongoing costs necessary to minimize deterioration and assure technological currency. GPO also will assume responsibility for coordinating a distributed system that provides continuous, permanent public access to Government information products within the scope of the program. This will require coordination with all of the institutional program stakeholders: information producing agencies, GPO, depository libraries, and NARA.

Format Standards

GPO expects to receive electronic information provided by agencies in many formats. However, GPO needs to determine a small number of "recommended standard formats" for the dissemination of electronic Government information products to depository libraries and remote access through the *GPO Access* services. It is anticipated that certain electronic source files provided to GPO by agencies will not lend themselves readily to dissemination or remote access in their original formats. Whenever it is possible and cost-effective to do so, GPO will reformat the information into formats more suitable for dissemination and permanent access.

GPO will offer all electronic Government information products in its custody to NARA in accordance with the approved GPO record disposition schedules. This does not imply that GPO

will assume the responsibility of converting this information for NARA if the file format used for permanent access through *GPO Access* is not suitable for the preservation requirements of NARA. It is expected that GPO may have electronic information that will not be accepted by NARA for preservation because of file formats. GPO and NARA must seek to coordinate their efforts to assure that format standards used by GPO for permanent public access to electronic information are, or can be converted easily to, formats acceptable to NARA.

Software Dependent Information

Some electronic Government information products produced by agencies in particular formats (such as certain types of spreadsheet files) are embedded with file structures that only have intrinsic value when used with particular software. If this information is converted to another generic format, such as ASCII, it loses value for the user. This is a major issue for GPO, which will need to make this information available through the FDLP, and NARA, which currently will not accept electronic information that is software dependent.

ARCHIVAL BACKGROUND

The OTA Web site contains two main types of information: 1) Organizational Structure and Members, and 2) Publications. The organizational structure, lists of Technology Assessment Board (TAB) and Technology Assessment Advisory Council (TAAC) members, can be found in the annual reports of OTA, which are scheduled for permanent retention under N1-444-94-1. Additional information on the members' work with OTA is scheduled as permanent in TAB/TAAC Member Files. The original site also contained information on ongoing projects, how to contact the staff, different electronic methods of obtaining publications, and links to other Government sites. Some of these are no longer appropriate since the agency has ceased to exist.

All of the information in the OTA Web site has been scheduled in a variety of different records covered by different items in the schedule. However, the schedule does not directly apply to the OTA Web site. The OTA Web site can be viewed as another "publication" used by OTA to disseminate information. The existence of the Web site, as well as its content, provide evidence of the image OTA wanted to portray to the public and the work it accomplished. Even though the information exists, in bits and pieces, among the records of OTA (records covered by the schedule), by bringing this information together, and "packaging" it in a different way, OTA has created a different record that is not covered in the schedule. Thus, the OTA Web site should be scheduled as an item under the office that manages and maintains the Web site.

In FY 1995, the National Archives, Center for Electronic Records (Center), scheduled and appraised the ASCII text files of the 1994 and 1995 reports (N1-444-94-1). These ASCII files were appraised as temporary because they do not contain the graphs, charts, and photographs which are integral to the publication, thus diminishing their value. At present, the Center for Electronic Records will not accession files that are dependent on any specific software package. This is referred to as software dependence. This precludes the Center from accessioning the reports produced using ADOBE software. For these reasons, NARA has chosen to maintain the print formats of all the reports produced by OTA. However, NARA will accession the ASCII text file for the Catalog of Publications, 1972-1995 (N1-444-96-1). This file is used to upload the Catalog onto the OTA Web site. In the case of OTA electronic information, NARA will accession only the ASCII file used to create the Catalog of Publications, 1972-1995. Since OTA is able to send the file in the software independent format specified in 36 CFR 1228.188, OTA will transfer the file directly to NARA, Center for Electronic Records.

NARA also will receive electronic versions of the OTA reports in three different formats: ASCII, Hypertext Markup Language (HTML), and PDF. These files will not be accessioned by NARA, but will be used to examine technical issues of the different formats. However, NARA may retain for a limited time the HTML and/or PDF format as an extra copy for convenience of reference. HTML files are essentially ASCII files that contain text which is "tagged" using a standardized language. HTML was created as a standardized way to format documents, so that they could be read and interpreted by a variety of different computer platforms. These commands are written using ASCII characters. Any word processing software package can be used to tag a document with HTML commands. However, there are software packages which were developed to "markup" documents with HTML commands. If a tagged document is printed out the HTML commands are visible along with the text of the document. Therefore these files are software independent and can be treated as ASCII files. If needed, PDF files also can be converted to ASCII.

Despite the fact that all these files are or can be transferred into software independent files, the original reports contain graphics, which cannot be software independent. PDF files contain graphics and the HTML files contain links to graphics. That is, the graphics "reside" elsewhere, not in the tagged document.

APPRAISAL CONSIDERATIONS

What information is in the Home Page, and which files (and addresses) does it link to? What is the structure/"hierarchy" of the site?

There is a distinction between a Home Page and a Web site. A Home Page is the first "page" of a site. It usually contains an introduction or welcome statement. The Home Page provides links to other pages. There are two main types of links: a) links to other files (pages) in the same location, and b) links to other Web sites. A Web site can be described as the sum of a Home Page and all the files that are linked to it. It is important to determine which file is the Home Page and trace how other pages are linked to the Home Page and other pages. The structure of the page can provide evidence as to what the agency feels its primary mission is and how it wants to portray itself to the general public.

Need to determine criteria/"draw lines" to limit the "links" that will be appraised.

In appraising a Web site it is necessary to examine the Home Page and the files that are linked. However, the links to other sites should be appraised with the records of the agencies that maintain those sites. If there is a link to a site which maintains information for the site being appraised, and the agency (of the records being appraised) is responsible for the content, then that particular link should be considered for appraisal. This does not mean that a whole new site is to be appraised along with the first site. A precedent for this can be found in N1-149-95-1P, Item 20.8, VAX Client Server, memo from NSXA to NIR dated January 9, 1995 "[Electronic Photocomposition Division (EPD)] uploads the publications, which they receive on tape or disk. EPD is not responsible for the creation or content of the publications. The individual agencies that

send the publications to be are uploaded into the system are responsible for all the data and information. For these reasons, the files in the VAX Client Server should not be appraised as GPO records..."

Which files within a site should be accessioned? Do all the files need to be brought in? Is it adequate to simply document that a particular link contained certain information which can be obtained among the other

records of the agency? If links to other sites, document the name and agency which maintained the site?

The determination of specific files in a Web site that should be accessioned and which links should be documented or appraised must be done on a case by case basis.

APPRAISAL ALTERNATIVES

Alternative A

Accession the records of the persons or committees responsible for maintaining the Web site. The records of these persons or committees should reflect the content and structure of the site. In fact, these files serve as documentation of the electronic files posted on the Web site. Thus, the information that appeared on the Web site could be reconstructed. In this case, we would be documenting the existence of a Web site without actually accessioning the information on the Web site.

Benefits

- This approach avoids the duplication of information NARA would be accessioning. The information provided by the persons or committees in charge of the site, would provide researchers with evidence of the information which was posted and they would then search out the desired documents from the records of that agency. This would be especially true of larger agencies which strictly control the information on their Web sites.

Disadvantages/Problems

- Not all agencies have a centralized place where this information can be found. In smaller agencies, the Web sites might be constructed and maintained by interns or interested personnel, yet their records may not provide adequate information on the content and structure of the Web site.
- This option also ignores the possibility that in the future, information posted on the Web site might not appear in any other format. In these cases, it is necessary not only to appraise the records of those maintaining the files, but the files on the Web site itself.

Alternative B

Accession all the files within the Web site. These could be viewed through a browser. However, it is important to note that different browsers servers will "interpret" the HTML commands differently. Also,

most Web sites contain links to graphics and other sites, therefore those links or graphics would not be functional. In this case, the links can be documented by identifying the institution maintaining that site and providing a brief description of the content of those sites.

Benefits

- The Web site can be preserved in a fashion through which researchers will be able to "navigate." Researchers also would get a better idea of the original structure of the site.

Disadvantages/Problems

- At the moment graphics cannot be preserved, an integral part of most Web sites.
- The sheer size of some sites and the number of links that must be accounted for make them difficult to document.
- The possibility exists for duplicating information that already exists among the records of the agency.

Alternative C

Accession selected files from the Web site, as well as preserving the records of the persons, offices, or committees maintaining the site. Valuable files, which may not exist in any other format or are more valuable in electronic format, can be preserved. These files could be either requested from the agency without HTML markup (in plain ASCII) or NARA could maintain the markup.

Benefits

- This approach ensures the preservation of unique files or valuable information without the burden of accessioning the whole site.

Disadvantages/Problems

- In accessioning select files, it is important to document the context. The documentation package would include technical information, but also information of the content of the site where the selected file was originally placed.

Web sites are always changing. Files can be added, updated, and deleted easily. This poses a problem for accessioning files in a Web site. The solution proposed in the "Preserving Digital Information: Draft Report of the Task Force on Archiving of Digital Information" (August 24, 1995) is to take "periodic snapshots" of the pages in a site. Ultimately, the agency is responsible for scheduling the files in their Web site. NARA can work with the agency to develop a strategy for accessioning files which constantly are being changed.

ISSUES TO BE ADDRESSED

Identifying Information for Permanent Access and Preservation

How can Web sites with valuable information be identified? Federal agencies are creating a large number of Web sites. Once agencies are no longer interested in maintaining that information, there is no mechanism in place to provide permanent access to that information for future users through the FDLP. As Federal records, the Web sites must be scheduled along with other agency records. Therefore, records schedules could serve as a tool to identify valuable Government information on Web sites and to assure its preservation by NARA. These schedules may also facilitate the identification of electronic Government information products within the scope of the FDLP for which permanent access should be arranged.

Transfer of Information to GPO and NARA

Once identified, what information from the Web sites should be transferred? As explained earlier, GPO and NARA have different responsibilities and goals, so each agency will have to decide what information on agency Web sites is within the scope of its responsibility. Sometimes both agencies will be interested in the same information. GPO is responsible for providing Government information products for current and permanent public access through the FDLP. Since NARA is interested in maintaining indefinitely information with historic value, it needs to apply criteria for determining which information from agency Web sites warrants preservation by the Government.

How should this information be transferred to GPO and/or NARA without added burden to the agencies? GPO and NARA will have to work together to identify ways in which agencies can transfer the information without added burden.

Permanent Access to Electronic Government Information Products

If an agency decides to discontinue access through their Web site to Government information products with the scope of the FDLP, GPO has a responsibility to obtain those information products and arrange for their permanent access through the FDLP. What is the most cost-effective and useful method for maintaining permanent access to electronic Government information products available from agency Web sites or other Government electronic information services? The migration of electronic Government information products over a period of years can be very costly. If information products already have been distributed in paper, microfiche or CD-ROM, does it make sense to provide permanent access to the information through a Government electronic information service?

Differences Between the Life Cycle of Government Information Products in Electronic vs. Traditional Formats

How is the life cycle for electronic Government information products different from that of traditional formats like paper and microfiche? What part of the information dissemination process must be changed in order to ensure permanent access through the FDLP and the preservation by NARA of information on agency Web sites?

Attachment D-11

**Task 9: Evaluation of Inclusion in Electronic Formats of
Materials Not Traditionally Included in the FDLP in Either Paper or Microfiche**

TASK 9: Evaluation of issues surrounding inclusion in electronic formats of materials not traditionally included in the FDLP in either paper or microfiche. Examples includes Securities and Exchange Commission EDGAR data (Task 9A, Attachment D-12), Federal District and Circuit Court opinions (Task 9B, Attachment D-13), patents, military specifications, Congressional Research Service reports, and a variety of other scientific and technical information (primarily contractor reports).

BACKGROUND

Government information products which have not been included in the depository library program in "traditional," or non-electronic, formats come from all three branches of government. Two categories were specifically identified under this task for separate case studies: filings with the SEC (now available through the EDGAR system) (Task 9A, Attachment D-12) and Federal District and Circuit Court Opinions (Task 9B, Attachment D-13). Other categories studied included patents; military specifications; Congressional Research Service publications; and scientific/technical reports from several agencies. These materials have not been included in the FDLP for a variety of reasons, but as publishing agencies migrate to electronic dissemination methods, it may be possible to expand public access to these materials through the FDLP.

This task force report covers a very wide variety of materials from many sources, and expanded access to these materials might involve more than one solution. The alternatives outlined below should not be considered mutually exclusive. A combination of alternatives might address varying agency and FDLP needs in the most cost-effective way. Alternative F was submitted after the original task force report was completed, and is provided here as an additional alternative available for some materials not currently in the FDLP, but it has not received the same opportunity for analysis and public comment as the others.

1) Patents

The Patent and Trademark Office (PTO) disseminates information through a combination of PTO search facilities, Patent and Trademark Depository Libraries, and commercial dissemination from private vendors who purchase bulk data from the PTO at marginal cost. Bibliographic descriptions and some full text are available in electronic formats. The patent database was a major component of the two year federally-funded Internet Town Hall, a cooperative project of Internet Multicasting Service and New York University which provided free Internet access. Since the end of that project, the PTO has been providing direct Internet access to the descriptive database. The plan is to offer searchable bibliographic text for approximately 20 years of patents. This free system will not include the full text of the patents.

The PTO called an open meeting for December 15, 1995, to:

[G]ain input into how it can maximize the potential of its information dissemination program. In view of technology changes, revisions to the Office of Management and Budget (OMB) Circular A-130, and the Paperwork Reduction Act of 1995 (Public Law 104-13), the PTO will review existing policies and ... prepare a comprehensive information dissemination plan.

At the same time, initiatives from the administration and the Congress are proposing major changes in the

PTO. In a press release September 14, 1995, Vice President Gore announced that the PTO would be transformed into a "performance-driven, customer-oriented organization." While the impact on information dissemination is not spelled out, the announcement refers to commercial business practices and points out that the PTO is "fully funded by user fees."

2) Military Specifications and Standards

Military specifications and standards are not yet available, full text, in electronic format. They are offered free for delivery by mail from the Navy Print on Demand System (NPODS). They may be ordered by "TeleSpecs", a system which takes automated telephone orders from 7:00 a.m. to 10:00 p.m. Monday through Friday. It is not a fax-on-demand system, but orders are mailed to requesters the next day. Customers also may buy a subscription to an automatic distribution service. This organization also offers paid subscriptions to an electronic information service (most current) and CD-ROM version (with bimonthly updates) which include descriptions of military specifications and standards and some other databases. Both services are relatively new and are priced for cost recovery.

3) Congressional Research Service (CRS) Studies

These comprehensive studies from the Library of Congress are very useful to the public but are not available through the FDLP, although the Major Studies and Issue Briefs are obtained and sold by a private vendor. There has been considerable interest in the depository library community in having CRS studies available to the general public. However, CRS is prohibited by Congress from any public distribution of their material, unless explicitly authorized by their congressional oversight committees. CRS is making their reports increasingly available to Congress in electronic format via CAPNET, the secure Capitol Hill network, but access is limited to congressional offices. Direct public dissemination through the FDLP would require a change in the current policy by Congress.

4) Scientific and Technical Information

While a great deal of scientific and technical information, including contractor reports, is distributed through the FDLP, there is also a great deal which is not in the program. Two agencies have been used in this task as representative of the issues for agencies, the GPO, and libraries.

4a) Technical Reports and Guidelines from the Environmental Protection Agency (EPA)

The EPA is a decentralized agency in which a number of offices and research centers produce or contract for technical reports. While many of these reports are provided to GPO for FDLP distribution, many others are not. Some staff members apparently believe that providing copies of documents to the National Technical Information Service (NTIS), or providing a single copy of NTIS diazo microfiche to GPO, satisfies information dissemination requirements of 44 U.S.C. Chapter 19. This is a misconception not unique to EPA. Some EPA CD-ROM titles are provided to depository libraries, but others are not. The EPA is making major efforts to provide information through an electronic information service, and this provides additional opportunities for depository libraries to participate in its dissemination efforts. No limitations on public access to reports available through the electronic information service have been identified, although many EPA reports in traditional formats are sold by NTIS.

EPA uses GPO's Federal Bulletin Board to disseminate some of its information products, thus

meeting depository responsibilities. For example, an important element of EPA regulation is the development of Environmental Test Methods and Guidelines. EPA's solution to public access includes announcement of the availability of draft guidelines in the *Federal Register*. Proposed guidelines are released on the EPA gopher. Final guidelines are posted on GPO's Federal Bulletin Board. GPO thus can provide the files for downloading, and also can sell paper copies to users who prefer that format. EPA staff has suggested that there would be a demand for compilations of these materials, on electronic formats such as CD-ROM. These compilations could be created by GPO from agency source files.

4b) Technical Reports from the Department of Defense (DOD)

The Defense Technical Information Center (DTIC) maintains collections of three types of technical reports: classified; unclassified with limitation of export; and unclassified, unlimited. DTIC maintains a Technical Reports bibliographic database for both of the unclassified categories of reports. The database is available for purchase from DTIC in CD-ROM or through a Government electronic information service.

Public access is not provided to these products; they are only available to Government agency personnel, Government contractors, and potential Government contractors, who register with DTIC. The reason for this restriction is that the databases contain the "unclassified with limitation of export" category, although DTIC reports that the vast majority of reports fall in the "unclassified, unlimited" category.

DTIC forwards copies of all unlimited, unclassified reports to the National Technical Information Service (NTIS) for public sale, but most are not provided to depository libraries. The NTIS bibliographic database, including descriptions of these DTIC reports, is available for purchase through private vendors on CD-ROM or through electronic information services.

DTIC is moving towards electronic storage of data and documents. The Electronic Document Management System (EDMS) is an integrated system which is moving DTIC from a manual, microfiche-based system to automated information management and document delivery. The system involves document scanning and optical storage. It can generate microfiche copies, since many DTIC customers still use microfiche. While the program includes a limited Web trial, DTIC probably will not provide public access to technical reports on their Web site because of security restrictions, and because technical resources must be devoted to serving primary clientele.

DOD is committed to its DefenseLINK Web site to link and point to all DOD home pages and a growing variety of unclassified material which is becoming available in electronic form. Some of the materials available as searchable databases on the Web also are sold in CD-ROM format. The DOD must adhere to restrictions on distribution of information which is classified or limited, and also must assure that its resources are available to its primary clientele such as Government employees and contractors. Perhaps a restructured FDLP could expand public access to such information by providing a separate source for unclassified electronic information products, one which does not place additional demands on DTIC's own technical resources.

FEDERAL DEPOSITORY LIBRARY DISTRIBUTION

This task addressed materials which are not in the program in traditional formats (paper, CD-ROM, microfiche or floppy diskette). Each of these categories of materials is distributed to its primary audience through Government or cooperative channels, but not through the FDLP. The Patent and Trademark Office supports its own reading rooms and depository library program; military specifications are available on demand without charge. Scientific and technical reports are distributed directly from the originating agencies and secondarily through NTIS. Because of the enormous volume in most of these collections, the cost of depository distribution in paper or microfiche would be large, and distribution would also present a significant processing and storage burden on depository libraries. GPO's decision has been to direct the limited resources available for support of depository printing and distribution to materials which do not have such specialized audiences and distribution programs. As these materials become available electronically, it may be possible to use the FDLP as an additional channel for public access.

DISSEMINATION ALTERNATIVES

Alternative A

Agency information is available through the Internet to the general public, from the agency itself, at no cost to the user. The GPO Pathway locator services will direct users, including depository libraries, to the agency site.

Benefits

- Government information products which have not been in the FDLP are available without charge to the public in electronic form.
- Libraries can access selected information products on demand, without the burden of processing and maintaining large collections.
- Minimal costs are incurred by GPO for inclusion of new information products in the FDLP.
- The GPO Pathway locator services enhance public access to agency information.

Disadvantages/Problems

- Depository libraries without Internet capabilities cannot access the information.
- Delivery of graphics-inclusive contents like specifications and patents may require considerable communications band-width and high-end computers at the user end.
- Public access may place additional loads on agency computing and telecommunication resources, as well as on support services, and may present security problems.
- Duration of the availability of the information product is uncertain unless GPO can establish a formal arrangement with the agency to ensure permanent access either at the agency site or at a site under the administrative control of the FDLP.

Alternative B

Agency information products are available electronically for a fee. The GPO will negotiate an agreement with the agency to pay the costs for depository library access. The agreement may include limitations on numbers of users or on remote access via library networks, but will not include any copyright-like restrictions on the use or reuse of the information product. The GPO Pathway locator services will lead depository libraries to the agency site.

Benefits

- Information products which have not been in the FDLP are available without charge to the public, at or through depository libraries, in electronic form.
- Libraries can access selected information products on demand, without the burden of processing and maintaining large collections.
- The GPO Pathway locator services enhance access to agency information products.

Disadvantages/Problems

- GPO incurs new costs for access to information products which have not been in the program previously.
- Depository libraries without Internet capabilities cannot access the information.
- Public access may place additional loads on agency computing and telecommunication resources, as well as on support services, and may present security problems.
- Agencies or distributors may see free public access through the FDLP as a threat to revenue generation.

Alternative C

GPO establishes a database of information products from agency sites which is tailored to the FDLP. Agencies provide electronic source files, or GPO downloads source files from agency sites.

Benefits

- Government information products which have not been in the FDLP are available without charge to the public in electronic form.
- Agencies are relieved of security problems related to unauthorized access to classified or non-government information products on their primary sites.
- Agency computer and telecommunication resources do not experience additional loads from depository library or general public access, as agencies may direct public users to FDLP sites.

Disadvantages/Problems

- GPO incurs new and essentially duplicative costs for access to information products which have not been in the program previously. GPO costs include downloading, reformatting, search mechanisms, storage, and permanent access.
- Provision must be made for updating dynamic data as it changes on the agency site.

Alternative D

Information from Government electronic information services is made available to depository libraries in CD-ROM format instead of through direct connections to these services. Agencies produce CD-ROM titles, with GPO riding orders for the cost of copies for FDLP distribution, whether or not discs are produced or procured through GPO.

Benefits

- Government information products which have not been in the FDLP previously are available without charge to the public in electronic form.
- Currently, many depository libraries are better equipped to handle CD-ROM than Government electronic information services.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. However, the longevity of the retrieval and display software frequently used on CD-ROM titles is less certain due to dependency on specific computer operating systems or other technology that may become obsolete more rapidly than the physical media.
- Agency computer resources do not experience additional load from depository or public access.
- Agency revenue streams from user fees are protected.

Disadvantages/Problems

- GPO and/or agencies incur new costs for access to information products which have not been in the program previously.
- Large report collections on CD-ROM may require a large number of disks, creating storage and access pressures in depository libraries.
- CD-ROM is not as timely for current information as direct access through an electronic information service, and does not permit dynamic updating of changing information.

Alternative E

Information products from Government electronic information services are made available to depository libraries in CD-ROM format instead of through direct connections to these services. GPO obtains agency source files or downloads files from agency sites, and creates CD-ROM collections for FDLP distribution.

Benefits

- Government information products which have not been in the FDLP becomes available without charge to the public in electronic form.
- Currently, depository libraries are better equipped to handle CD-ROM than Government electronic information services.
- Use of information is facilitated by GPO's creating discs with consistent search interfaces.
- CD-ROM provides for permanent public access in libraries throughout the country.
- Agency computer resources do not suffer additional strain from depository or public access.
- Agency revenue streams from user fees are protected.

Disadvantages/Problems

- GPO incurs new costs for access to information products which have not been in the program previously.
- Large report collections on CD-ROM may require a large number of discs, creating storage and access pressures in libraries.
- CD-ROM is not as timely for current information as direct access through Government electronic information services, and does not permit dynamic updating of changing information.

Alternative F (NTIS Proposal for Depository Library Access)

Note: This alternative was proposed by NTIS after the completion of the original task force report, so it has not received the same opportunity for analysis and public comment as the other alternatives. While it proposes a program which would not be part of the FDLP, it does identify an option for providing public access to federally-funded scientific, technical and engineering publications from the NTIS collections, so it is included here as additional information for the FDLP Study. The description of this alternative and many of the benefits and disadvantages/problems were identified by NTIS and are presented in its own words; some of the benefits and disadvantages/problems were identified by the task force and GPO staff, based on earlier input from the library community.

NTIS has proposed a means to assure the American public access to information in its collection for free through the depository libraries without a subsidy from taxpayer funds. Access will be provided to electronic image files of documents as they become available to NTIS. The proposal covers access to image files of documents of scientific, technical and related business nature that would be available to the depository libraries under the current program in paper or microfiche formats as well as access to a wide range of materials that have previously been accessible to the depository libraries only through the NTIS

sales program. The initial proposal does not include NTIS CD-ROM titles or fee-based electronic information services available through FedWorld, but it would provide easy and immediate access to a substantial number of fugitive documents not previously available to the FDLP.

NTIS plans to initiate a pilot with approximately 20 depository libraries by early summer. Pilot participants will have access at no charge to the full electronic bibliographic records of the incoming NTIS document stream and will be able to request downloads of all documents available in electronic format. The purpose of the test is to establish procedures and appropriate operating protocols for complete lights out, 24 hours a day, seven days a week operation. Expected duration of the test period will be approximately nine months, at which time a decision on the full extent of access to the depository system should be possible.

NTIS will provide depository libraries with access on demand to the electronic images of federally funded scientific, technical and engineering publications in its collection at no charge, as often as needed, and without any time limitation in exchange for a simple agreement from each library not to release the electronic file outside the library or use it for commercial purposes. No restrictions of any kind are placed on the use or redissemination of documents printed from these electronic files. Inter-library exchange of these paper or microfiche documents would be expected to proceed as they currently do with depository library materials. Access will be provided through a search system with no charges to the library for anything it downloads for printing. Files can be printed locally if the library has a printer with PostScript print capability. The library or the user would absorb print costs but could make as many paper copies as needed.

Currently Defense Department publications are entering the NTIS collection in image format. Several other science agencies are making rapid progress on migrating to electronic imaging and NTIS is within months of scanning most items it receives in paper. Virtually everything entering the NTIS system should be in electronic image format within a year. NTIS expects to intake about 100,000 documents during this fiscal year.

Benefits

- NTIS would make Government information products that have not been included the FDLP available for free access in local communities.
- No appropriated funds will be required since NTIS will absorb all costs of storage and access as a business expense paid for out of user fees from the NTIS system as a whole and not by the taxpayers.
- A large class of fugitive documents -- those from DOD -- would immediately become available to the public, and NTIS working relationships with other major federal producers of technical information products in electronic form ensure the future availability of a more comprehensive collection of federal technical information.
- Libraries could access selected information products on demand without the burden of storing or indexing large collections or dealing with individual agencies.
- Depository libraries could provide an advertising vehicle for NTIS services by increasing public awareness.

Disadvantages/Problems

- Libraries must resist the temptation to release electronic files of these materials on the World Wide Web. Such a release would destroy NTIS' own revenue generating capabilities and eliminate funding to support free access in the future. NTIS' restrictions apply only to the document image files themselves and should in no way interfere with patrons ability to search and locate documents they need.
- Downloading and printing of large PostScript files can require considerable Internet band-width as well as high-end equipment at the library.
- Depository libraries would have to accept copyright-like restrictions on the use and re-use of materials obtained from NTIS through the FDLP and would be put in the position of enforcing those restrictions. There is a risk to NTIS' market for these publications if library patrons (some of whom may be resellers) are not satisfied with the restrictions imposed by NTIS and do not comply with them.
- Compliance with NTIS' restrictions may necessitate that use of the NTIS service be restricted to mediated searches (those conducted by depository library staff). This would eliminate self-service at public access workstations and make it more labor intensive (costly) for depository libraries, thus precluding some depository libraries from offering the NTIS service to their patrons and limiting public access to these materials.
- This alternative as proposed would not be an official part of the FDLP, so there is no statutory obligation for NTIS to initiate or sustain it, and no guarantee that this service would be available to all depository libraries. Since depository obligations under 44 U.S.C. Chapter 19 are for the publishing agencies, unless this NTIS service was brought under the FDLP officially, it would not fulfill agency obligations, and GPO would have to continue to work directly with agencies to make information products available without restriction through the FDLP.

ISSUES TO BE ADDRESSED

Government Information Policy

How can the Federal Depository Library Program assist the Government in fulfilling its responsibility for informing its citizens in the new electronic environment? How can basic public access to Government information products be assured despite increasing requirements that agencies find new ways to raise revenues?

Depository Library Role in Access to Non-GPO Data

There is no current model for bringing electronic Government information products available through agency electronic information services officially into the FDLP. Should there be? Should GPO attempt to establish interagency agreements for inclusion of material available from agency Internet sites in the FDLP? If so, what limitations, restrictions or guarantees should be covered by these agreements? What provisions should be made for permanent public access to this type of information? Is the fact that the GPO Pathway locator services direct users to an agency site enough to consider the information at that site an "official" part of the FDLP? What is the

responsibility of depository libraries for providing assistance with information at non-GPO sites, and for providing facilities for downloading and printing?

Depository Library and GPO Role in Managing Limitations on Usage or Redissemination

If GPO negotiates agreements with agencies which put limits on redissemination of their data, depository libraries will be put in the position of enforcing copyright-like restrictions on Government information products. They might be required to check for user affiliation, or forbid downloading of data. Such restrictions are used in libraries for commercial products, but have not been in place for Government information products. Should Congress and GPO cooperate in creating systems which place limits on the use of Government information products? Is an expansion of access, even with limitations, reason enough to accept limitations which agencies need in order to protect their revenue stream?

Permanent Public Access

How will the public be assured of access to Government information products over periods of many years, if electronic information services, such as agency Web sites, are purged of older materials? How will electronic information products be maintained for permanent access? Although CD-ROM can provide access for a number of years, it is not considered a permanent medium and all data on CD-ROM will need to be migrated to new media for truly permanent access.

Attachment D-12

Task 9A: Case Study on Securities and Exchange Commission EDGAR Data

TASK 9A: Evaluation of issues surrounding inclusion of the Securities and Exchange Commission (SEC) EDGAR System in the Federal Depository Library Program when that information is not already included in paper or microfiche format.

BACKGROUND

The Securities and Exchange Commission (SEC) administers federal securities laws. Issuers of securities making public offerings must file financial and other pertinent data with the SEC. This information is available in SEC public reading rooms and through private vendors. It also is available through the SEC's Electronic Data Gathering, Analysis and Retrieval System (EDGAR) electronic filing system. According to the SEC, the primary purpose of EDGAR is to "increase the efficiency and fairness of the securities market for the benefit of investors, corporations, and the economy by accelerating the receipt, acceptance, dissemination, and analysis of time-sensitive corporate information filed with the agency."

EDGAR is used by nearly 75% of publicly traded domestic companies to make most of their filings. All public companies will be required to file electronically with the SEC by May, 1996. The SEC receives approximately 12 million documents a year, and estimates that users download nearly 17,000 documents a day.

In 1993, the Internet Multicasting Service and New York University entered into an agreement to test Internet as a vehicle for making this data available to a broader public. That two-year experiment was funded by the National Science Foundation through a grant which expired on October 1, 1995.

In a speech on August 11, 1995, SEC Chairman Arthur Levitt announced that the SEC would provide access to EDGAR on its own World Wide Web site. Levitt said, "It is a major Commission priority to use electronic communications to bring clearer, faster, more complete disclosure to investors as well as to reduce costs for issuers. This represents a logical step in our efforts to better inform investors....We've had many creative offers from the private sector to keep EDGAR on the Internet..., but all of them would in some way limit the amount of information available, or else attach too many commercial strings. Taxpayers and shareholders have already paid to compile this information--they should not have to pay again."

The SEC Web site provides access to all of the public electronic filings made from 1994. It supports user access through Web Browser or Anonymous File Transfer Protocol (FTP). EDGAR access is provided free of charge on a day-delayed basis. Direct bulk feed of EDGAR data also can be purchased from Lexis/Nexis, which operates the EDGAR dissemination service.

The SEC intends to incorporate new technologies and concepts to facilitate the capture, analysis, and dissemination of the financial data the SEC is required to obtain. To that end, a Technology Conference was held on August 14, 1995, followed by a Request for Information (RFI) in October. The RFI sought information on the possible privatization of the EDGAR system, in addition to a number of other policy and

technical issues. The RFI asked whether the agency should continue to maintain and operate this service, "or should this service be provided by the private sector either on the Internet or via some other means?"

On January 4, 1996, the SEC issued a second RFI concerning the EDGAR system. This RFI supplements the first and specifically solicits comments on several potential EDGAR system architectures. Unlike the first RFI, which proposed a possible privatization of the EDGAR service currently provided through the SEC Web site, all four models presented in the new RFI assume that "the SEC will retain its Internet site and continue to offer the current level of EDGAR document dissemination service."

FEDERAL DEPOSITORY LIBRARY DISSEMINATION

Information filed with the SEC has never been part of the FDLP in paper, electronic or microfiche format. Although at one point SEC entered into discussions with GPO about creating a CD-ROM version of their documents, which would have included FDLP distribution, no agreement was reached.

DISSEMINATION ALTERNATIVES

Alternative A

EDGAR is maintained on the SEC Web site and the GPO Pathway locator services will direct users, including depository libraries, to the SEC Web site for this information.

Benefits

- No new product development is needed.
- No costs are incurred by GPO or SEC for inclusion of this information product in the FDLP.
- The GPO Pathway locator services enhance public access to SEC filings by making them easier to find.

Disadvantages/Problems

- Depository libraries without Internet capabilities cannot access the EDGAR database.

Alternative B

The SEC provides the electronic data to GPO for distribution to depository libraries on CD-ROM. Preliminary discussions with SEC about CD-ROM production assumed dissemination of approximately 10,000,000 pages of information per year. This includes Form Q, Form K, mergers/acquisition, and proxy statement filings. Over a one year period this would equate to the production of approximately 52 discs. The estimated cost to GPO for replication and distribution of these discs to 700 depository libraries would be \$182,000. Projected costs might be reduced by compressing files and/or by distributing discs less frequently. The SEC would be charged for mastering the discs unless the *Federal Depository Library Program: Information Dissemination and Access Strategic Plan, FY 1996 - FY 2001* (Strategic Plan) for

the FDLP is approved, in which case funds for mastering could be taken from the FDLP appropriation. The GPO Pathway locator services would direct users to the SEC Web site for more immediate access to filings.

Benefits

- Currently, depository libraries are better equipped to handle CD-ROM than Government electronic information services.
- CD-ROM is a good media for depository distribution. As a read-only media, CD-ROM assures the integrity of the data, and the estimated media life of a CD-ROM is 30 years or more. However, the longevity of the retrieval and display software frequently used on CD-ROM titles is less certain due to dependency on specific computer operating systems or other technology that may become obsolete more rapidly than the physical media.

Disadvantages/Problems

- Additional cost to the FDLP of approximately \$182,000 per year, or more if GPO pays for mastering the discs. Since SEC filings have never been a part of the FDLP, their inclusion in the FDLP in electronic format nets no cost savings for elimination of comparable paper or microfiche products from the program.
- Discs will not be as timely as access through the SEC Web site. However, as access to the SEC Web site is free, depository libraries still retain a mechanism for timely access of current SEC filings.

ISSUES TO BE ADDRESSED

Permanent Archiving

The National Archives and Records Administration (NARA) is engaged in negotiations with SEC to identify and schedule the records of enduring value in the EDGAR system. NARA has expressed concern about long-term access to files if the database is privatized, and would prefer in that case to acquire the data directly on magnetic tape cartridge. Any EDGAR data transferred to NARA will not be maintained for use through an electronic information service and will not be accessible via the Internet on a continuing basis. However, a specific request will trigger access to the EDGAR data.

Permanent Access

The SEC has not indicated how long filings will remain actively available on their Web site. If filings are "retired" after a few years, access to earlier information would be available only in SEC reading rooms or through private vendors, unless provision is made for CD-ROM backup or "mirror" sites.

Methods for Bringing Electronic Information Products Officially Into the FDLP

There is no current model for bringing information products available through remote access to Government electronic information services sites officially into the FDLP. Should there be? Should GPO attempt to establish interagency agreements for inclusion of material available from agency Web sites in the FDLP? If so, what limitations, restrictions or guarantees should be covered by these agreements? What provisions should be made for permanent access to this type of

information? Is the fact that the GPO Pathway locator services direct users to an agency site enough to consider the information at that site an "official" part of the FDLP? What is the responsibility of depository libraries for providing assistance with information at non-GPO sites?

Attachment D-13

Task 9B: Case Study on Federal District and Circuit Court Opinions

TASK 9B: Evaluation of how United States Court of Appeals' published slip opinions might be included in the Federal Depository Library Program (FDLP) electronically, although traditionally they have not been a part of the FDLP in either paper or microfiche format.

INTRODUCTION

The United States Courts of Appeals traditionally has published their own slip opinions in paper form and has a long standing waiver from the requirement to use the services of the Government Printing Office (GPO) to produce printed materials. The opinions are distributed to the parties, members of the court community, law libraries, and are available to the public through various sources. As technology progressed, the courts took advantage of the improved efficiencies and began electronically transmitting opinions to interested legal publishers and the public, created court-operated electronic bulletin board systems for further public distribution to the bar and the public, and made slip opinions available on the Internet for yet further distribution.

The following paper presents a review of existing electronic methods for dissemination of Government information and discusses, in particular, alternatives the courts might consider for disseminating appellate court opinions. The paper addresses: (1) the background for the long-standing practice of producing slip opinions using local printing contractors, (2) the Judiciary's relationship with the Federal Depository Library Program, (3) the alternatives for distributing slip opinions electronically, and (4) the issues posed by electronic distribution. The paper does not offer any recommendations. Any change to current practices would need to be considered by the Administrative Office of the U.S. Courts, the courts, and the Judicial Conference of the United States.

BACKGROUND

Production of slip opinions for the federal courts of appeals is handled locally by the individual courts of appeals. There is no centralized administrative control over the slip opinion process, beyond the assistance provided by the Administrative Office (AO) for procuring a printing contractor. All policy regarding production and distribution is made by each appellate court. Slip opinions typically are produced and distributed to the court, and to both paid and free subscribers, by contract vendors.

Wide access to the federal appellate opinions is available in both hard print and electronic formats. Historically, the courts have provided hard print copies of slip opinions to interested law schools within their circuit, often in exchange for free subscriptions to those law schools' journals. Other non-profit organizations, including government organizations, usually receive free subscriptions to the published opinions. Copies of the opinions also are provided to the press. In addition, opinions always have been available to the public through paid subscriptions and in the circuit libraries.

In addition to access to print copies, electronic access to appellate opinions is available through a variety of sources. The electronic legal research options are available from numerous commercial vendors and all twelve circuits provide public access to their recent published opinions through their own electronic bulletin board systems (BBS) or the Internet. The systems operate on toll-free telephone lines and opinions are

provided primarily in ASCII or WordPerfect format, to allow the broadest access for users. There is no full text search capability on the bulletin boards. The bulletin boards provide general court information and an index of cases to assist users in their searches as well as the text of the opinions. Typically, users do not read the cases while on-line on the BBS, but download them to their computers to reduce on-line access costs as well as to improve readability. Experience has shown that most legal researchers continue to prefer to read lengthy text, such as court opinions, from printed copies, as opposed to reading from a computer screen.

Each circuit has established local rules governing access to, and availability of, these electronic bulletin boards. The policy of the Judicial Conference of the United States is to authorize the collection of a fee for electronic access to court information, consistent with a mandate from Congress. The current PACER (Public Access to Court Electronic Records) fee is \$0.60 per minute. The fee was authorized by the Congress to reimburse the Judiciary for costs incurred in providing electronic public access services. The fee is based on costs for development, implementation and enhancement of electronic public access services. The Judicial Conference further authorized that exemptions from the fee may be granted by a court, in order to avoid unreasonable burdens and to promote public access to information. The exemption is intended to accommodate those users who might otherwise not have access to the information product in electronic form. Examples of persons and classes of persons who may be exempted from these fees include indigents and not-for-profit organizations.

The Judiciary has no plans at this time to initiate an internal process to collect opinions and post them on the Judiciary's own World Wide Web site, which is still in its infancy. However, there have been several developments recently in providing Internet access to the opinions. One circuit is using a third-party Internet host to upload its opinions to the Internet. There also is a commercial vendor who has added all appellate published opinions to its Web Site, purchasing opinions from the courts when necessary and then posting them to the site for free public use.

In addition, a consortium of law schools, generally one from each circuit, provides free access to appellate opinions through each school's Web Site. Circuits were approached individually by the law schools about participating in this effort. Opinions from all circuits are available through the law school Web sites. The member law schools have complete responsibility for retrieving the opinions, processing them as they determine necessary and uploading them to the Internet.

DISSEMINATION TO FEDERAL DEPOSITORY LIBRARIES

The Judiciary has a longstanding waiver from the requirement to utilize the Government Printing Office's (GPO) printing resources. An indefinite waiver was renewed by the Joint Committee on Printing in 1985, which requires that the Judiciary participate in the FDLP by providing copies of opinions to all requesting depository libraries. The Judiciary has worked with GPO to implement this distribution process; however, to date, no agreement has been reached on the most efficient and effective means to distribute the thousands of opinions published by the courts of appeals each year.

In 1994, discussions began in order to determine how opinions could be distributed to the FDLP electronically, especially since the federal appellate courts had been widely circulating their opinions electronically for some time. The Judiciary recognized the efficiency in handling the large volume of slip

opinions in this manner. However, this project has been delayed in recognition of GPO efforts in establishing its Web site, the Judiciary's progress in establishing an electronic bulletin board in each circuit,

and now, the current FDLP Study.

ALTERNATIVES FOR DISSEMINATING OPINIONS TO FEDERAL DEPOSITORY LIBRARIES

Alternative A

The Judiciary could provide electronic versions of the slip opinions to GPO, which would in turn add them to *GPO Access* as full-text searchable databases. GPO requires the collection of opinions from all circuits. Due to the decentralized nature of the Judiciary, it may be necessary to establish a focal point for this effort in order to ensure consistent compliance with GPO needs. Therefore, this alternative may require that the Administrative Office collect the opinions and send them to GPO. In this event, the AO would need to establish a reimbursable agreement with GPO to pay the costs of routine collection, preparation, conversion, and storage of the electronic data.

Benefits

- The printing waiver granted to the Judiciary is continued.
- Public access is improved, a goal the Judiciary has pursued actively and successfully in recent years.
- Creation of a full-text searchable database enhances the usefulness of opinions to researchers and provides a single source for the information, thus assuring a uniform interface and file formats.
- Permanent public access to the opinions is assured by GPO and the FDLP.

Disadvantages/Problems

- Collecting opinions from the courts and providing them to GPO will require increased AO staff resources to develop the applications for opinion collection and dissemination and to monitor the daily collection of opinions. This will mean increased costs for the AO, which would likely have to acquire funding for this purpose.
- Increased costs would be incurred by the Judiciary for the data formatting and storage done by GPO. Acquiring additional funding for this purpose would not be required if the *Federal Depository Library Program: Information Dissemination and Access Strategic Plan, FY 1996 - FY 2001* (Strategic Plan) for the FDLP is approved, in which case funds for conversion and storage could be paid for by the FDLP appropriation.

Alternative B

The Judiciary could provide electronic versions of the slip opinions to GPO, which would in turn add them to the Federal Bulletin Board for free public access through the FDLP.

Benefits

- The printing waiver granted to the Judiciary is continued.

- Public access to opinions is improved by providing one central location for all appellate court opinions.
- Permanent public access to the opinions is assured by GPO and the FDLP.
- No additional conversion or storage costs would be incurred by the Judiciary.

Disadvantages/Problems

- Collecting opinions from the courts and providing them to GPO will require increased AO staff resources to develop the applications for opinion collection and dissemination and to monitor the daily collection of opinions. This will mean increased costs for the AO, which would likely have to acquire funding for this purpose.
- Opinions would be available only as ASCII or WordPerfect files making them less useful than a full-text searchable database.

Alternative C

The Judiciary's existing BBS services are being used broadly and have received general acceptance. These BBS services could be made the center of the FDLP electronic access arrangement, by offering the depository libraries free access to the opinions on each circuit's BBS. It is not clear how this would be implemented technologically. The GPO Pathway locator services could direct users to the appellate courts' BBS for slip opinions. It is possible that end users would have to access opinions indirectly by first going through the FDLP program, adding some steps to the research process.

Benefits

- The printing waiver granted to the Judiciary is continued.
- Public access to opinions is improved.
- There is no need to establish a centralized collection method, therefore no additional costs are incurred by the AO.
- Each circuit maintains control over its own opinions.
- Although this alternative is likely to increase costs to the Judiciary, e.g., for enhancing the BBS, implementing new password maintenance, adding phone lines, and increasing hardware costs for larger computers for the BBS, these costs might be offset by the PACER fee account.

Disadvantages/Problems

- With multiple sources for the opinions, it is more time-consuming for users to access the opinions they need.

- Opinions would be in ASCII and WordPerfect format; therefore, text searching would not be available.
- Depository libraries would have to register and become familiar with multiple bulletin board systems, with no standard interface and various file formats.
- Accessibility is determined by each circuit and permanent access cannot be guaranteed.

Alternative D

The Judiciary could support its own Web site to collect and store opinions. The opinions would be full text searchable. The GPO Pathway locator services would direct users to the Judiciary Web site for appellate court opinions.

Benefits

- Public access to opinions is broadened and improved.
- The printing waiver granted to the Judiciary is continued.
- Security and control of the information would be controlled by the Judiciary.
- The visibility and image of the Courts of Appeals and the Judiciary is improved.
- Costs for maintaining opinions on the Web site would be offset in part by other applications the site would provide.
- As a full-text searchable database, opinions are more useful to researchers.

Disadvantages/Problems

- As with Alternative A, costs would be incurred by the Judiciary to collect and format the opinions for dissemination. There also would be on-going costs associated with maintenance and permanent access to the opinions. Thus, costs to the Judiciary would increase.

Alternative E

The law school consortium project is the leading effort to consolidate the slip opinions on the Internet. The Judiciary could endorse the law school consortium project and create a partnership between the consortium, the Judiciary (most likely, through the AO), and GPO. Rather than the Judiciary or GPO maintaining the data, the consortium would provide access to the opinions. The GPO Pathway locator

services would refer users to law school Web sites. Currently, the consortium schools retrieve opinions from their local circuit BBS and, if opinions are needed from another circuit, the user is transparently directed to the other law school Web site with the requested opinions.

Benefits

- The printing waiver granted to the Judiciary is continued.
- Public access to opinions is improved.
- There is no increase in the resources needed by the Judiciary.
- This information service will be maintained by the law schools.

Disadvantages/Problems

- The Judiciary and FDLP are dependent on the law schools to maintain access to the opinions. Moreover, there is no guarantee that opinions will be available for permanent access. Arrangements concerning these issues would have to be made with the participating law schools before GPO could endorse the project.
- Each of the law schools determine how they wish to format the opinions. Currently, there is no national standard for format or appearance.
- Information is located at several sites, and the user must know which law school Web site to search in order to locate an opinion. The GPO Pathway locator services could help solve this problem.
- Some sites are copyrighting the formatting of the opinions, thus restricting use and re-use of the information. This restriction would have to be removed by the participating law schools before GPO could endorse the project.

ISSUES TO BE ADDRESSED

In reviewing alternative methods for electronically disseminating slip opinions to the FDLP, a list of issues has been developed. Some of these issues were raised during the development of the bulletin boards and were resolved according to the needs and priorities of the circuits. Should the federal courts change individual or collective practices, these issues will need to be revisited.

Permanent Access and Preservation

For what duration are opinions maintained on-line? How is permanent access for the FDLP assured? How is preservation by NARA to be accomplished? Should a preservation process be developed? Is there demand for an alternative, near-line access method, such as CD-ROM? Would that be considered sufficient for permanent access?

Requirements for Electronic Access

Should information products available electronically from the Judiciary be provided in a format to assist users in conducting legal research, or is this primarily a means of disseminating information products without affecting the form and utility of the information they provide?

Legal research requires software with full text search capability and requires access to historical records, both of which add significant costs to making opinions available electronically.

Need and Demand for an Alternate Method of Dissemination

With the current variety of judiciary, non-profit, and commercial sources for slip opinions, is it necessary to develop another alternative method of dissemination through GPO or the Judiciary?

Is there a market demand that is not being met by the various public dissemination methods currently available? If so, do the costs of establishing an additional alternative method of dissemination outweigh the need demonstrated?

Ensuring the Integrity of Data

What controls exist in any electronic system to ensure the integrity of data?

Is there a need to have "true" or "certified" electronic versions of slip opinions? Since each circuit formats its decision uniquely, in order to provide an accurate and exact copy, it would be necessary to use Adobe Acrobat Portable Document Format (PDF) files.

Costs for Dual Format Distribution

The Judiciary will continue to have a demand for paper copies of decisions by judges, parties, law schools, private practitioners, and others who now subscribe to the courts. Thus, for the foreseeable future, it will be necessary to maintain both print and electronic distribution of court opinions. Therefore, enhanced electronic dissemination will not reduce costs, but will be an additional cost.

Attachment D-14

Task 10A: Case Study on STAT-USA Services

TASK 10A: Review of the effects of offering free public access to STAT-USA information products and services through the Federal Depository Library Program (FDLP).

BACKGROUND

STAT-USA is a self-funding organization within the Department of Commerce. Its mission is to produce and distribute, and to assist other Government agencies in producing and distributing, world class business, economic, and Government information products that American businesses and the public can use to make intelligent and informed decisions. Services are provided through a variety of electronic media including dial-up bulletin board, CD-ROM, diskette, and the Internet.

Economic Bulletin Board

More than a decade ago, STAT-USA's predecessor organization, the Office of Business Analysis (OBA), started the Economic Bulletin Board (EBB). The EBB was designed to deliver, in electronic format, current economic and business information products to the public as soon as they were made available. It was also designed as a one-stop source for economic news, so that customers would not need to go to dozens of different agencies looking for indicators of the state of the U.S. economy. OBA began charging for access to its electronic information services in 1986 at the direction of then Under Secretary of Commerce Bud Brown. Since the EBB was a valuable business tool, it was believed that the business community should help defray the costs associated with its operation. Early EBB fee structures were designed to provide reasonable payments from large scale customers and provide access to one-time or infrequent users at very low prices.

National Trade Data Bank

In 1989, OBA was assigned to plan and implement the National Trade Data Bank (NTDB) which was mandated by the Omnibus Trade and Competitiveness Act of 1988. The Act called for the Department of Commerce to lead an effort to bring together Government information related to international trade and export promotion and to make this available to the U.S. public in a low-cost, electronic form. OBA selected CD-ROM as the most cost-effective technology to distribute what was anticipated to be a large collection of information from a variety of agencies. The concept of user fees was supported in the language that created the NTDB which allowed Commerce to charge "reasonable fees" for NTDB access. Moreover, since appropriations to fund the NTDB never adequately covered the actual costs of developing and operating the data bank, OBA became reliant on customer fees to partially defray costs of keeping the NTDB open.

This perilous financial situation was recognized by Vice President Gore's first National Performance Review (NPR) in 1994 which recommended that the National Trade Data Bank be placed on a firm financial footing. This, and other NPR recommendations led to three outcomes:

- STAT-USA was established in October 1994 with the explicit mission to develop electronic business, economic, and trade information services.

- A revolving fund was established with a one-time appropriation of \$1.67 million to set up STAT-USA operations and provide a financial safety net until it could operate on a cost recovery basis.
- Provisions of the Omnibus Trade and Competitiveness Act of 1988 pertaining to the price of the NTDB were amended to authorize STAT-USA to recover the full cost of operating the NTDB.

STAT-USA/Internet

STAT-USA/Internet contains many of the same types of information found on the NTDB CD-ROM, the EBB, and the National Economic, Social, and Environmental Data Bank (now discontinued). However, having these information products available in one Internet location has proven to be more timely and useful to many libraries. Moreover, STAT-USA makes use of current information searching tools which provide more accurate search results than similar searches conducted on the CD-ROM.

FEDERAL DEPOSITORY LIBRARY DISTRIBUTION

STAT-USA has enjoyed a long and steady relationship with the depository library community. Many librarians have convinced STAT-USA of the value of serving the U.S. public through the FDLP.

An official relationship with the FDLP began in 1989 when the EBB was included as one of the five original pilot projects to determine the feasibility of FDLP access to Government electronic information services. One hundred libraries were provided access to the EBB from June 1, 1990 - December 30, 1990. GPO reimbursed OBA \$15,000 for access by the 100 participating libraries during the trial period. The results of the pilot project were mixed; a relatively small number of depository libraries actually took advantage of the service.

CD-ROM use by the business community was in its infancy during the late 1980's and early 1990's. Consequently in its implementation plans for the NTDB in 1990, OBA specifically planned for free distribution of the CD-ROM through the FDLP to meet the Congressional intent for this information to be widely disseminated. Potential users of this information product would not be required to own CD-ROM hardware and software, but could access the NTDB at the nearest depository library holding the CD-ROM in its collection.

When the NTDB CD-ROM was first issued in October 1990, more than 600 depository libraries elected to receive it. During the ensuing five years, the NTDB has become one of the most widely used CD-ROM titles in the FDLP. As of March, 1996, 1,070 depository libraries receive the monthly set of NTDB discs. Many depository libraries have indicated they permanently mount the NTDB due to its constant demand by library patrons. The size of the NTDB has grown considerably since the first issue which contained roughly 40,000 documents. Today, it contains nearly 250,000 documents and requires two separate discs to deliver the entire collection each month.

STAT-USA continued its open relationship with depository libraries in 1994 when it established STAT-USA/Internet. Starting that Fall, depository libraries were given single-user free access to this Internet-based electronic information service.

STAT-USA initially intended to accept depository applications directly for STAT-USA/Internet. However, library demand for this service quickly exceeded the ability of Commerce staff to create new accounts, maintain records on STAT-USA internal computer systems, and provide applying depository libraries with timely notification of the activation of their account. Part of the registration pressure was eased in 1995 when the GPO Library Programs Service (LPS) staff agreed to take over many of the administrative duties associated with signing up libraries to access the service. Currently, 521 depository libraries access STAT-USA/Internet.

DISSEMINATION ALTERNATIVES

Alternative A

STAT-USA will continue to offer STAT-USA/Internet to the FDLP with the costs recovered from other STAT-USA fees.

Benefits

- STAT-USA relies on depository libraries as advertising vehicles for its services. Many current STAT-USA customers were first introduced to the NTDB or STAT-USA/Internet through use of these services in a library. Many library patrons eventually want their own subscription to use in their home or office. Depository libraries provide very low cost exposure to STAT-USA products and assist us in marketing our services.
- STAT-USA routinely refers large numbers of customers to depository libraries to access its services. There are still many information customers who do not possess the computer technology to access STAT-USA information products, do not want to pay for the services or cannot afford them, or want to try out the service before they buy. STAT-USA refers these customers to the FDLP community and views depository libraries as a public safety net to ensure public access to these information products.

Disadvantages/Problems

- STAT-USA began its relationship with the FDLP during a period when appropriated funds supported free distribution of STAT-USA discs and the provision of other electronic information services to depository libraries. Substantial sums were expended by STAT-USA to provide depository copies of the NTDB CD-ROM, train librarians in their use, and provide free customer support. Although STAT-USA management remains committed to the FDLP, lack of appropriated funds now makes it much more difficult for STAT-USA to participate in the FDLP.
- Depository libraries have requested more than a single user subscription to STAT-USA/Internet and objected to the requirement that they not offer access to STAT-USA/Internet over their networks unless they can restrict access to a single simultaneous user.
- Libraries want to ensure the broadest public access to the information products available through STAT-USA at no cost to patrons. Since Government information cannot be copyrighted, libraries can freely disseminate electronic Government information products as broadly as they chose (and their resources permit), thus undermining the ability of STAT-USA to exist as a self-funding

agency. This problem exists even when the depository libraries (or others) purchase access to STAT-USA themselves; it is not exclusively a problem of FDLP access.

- Increased costs to the FDLP for purchasing depository access to the service.

Alternative B

GPO would purchase access to STAT-USA/Internet for the depository libraries. Based on the published prices for STAT-USA/Internet access, the current level of access (single simultaneous user) for the 521 libraries currently selecting STAT-USA/Internet would cost \$130,250 per year. For \$208,400 GPO could purchase "Class C" access for 521 libraries; that would permit access to all users within a single Class C IP Address in each library. For \$416,800 GPO could purchase access for 6 to 10 simultaneous users for each of the 521 libraries. (This is comparable to the original number of *GPO Access* subscriptions provided to each depository library.)

Benefits

- STAT-USA continues to rely on depository libraries as advertising vehicles for its services.
- STAT-USA continues to refer a large number of customers to depository libraries to access its services and retains depository libraries as a public safety net to ensure public access to their information products.
- Depository libraries could increase the number of simultaneous users with access to STAT-USA/Internet if GPO elected to purchase Class C service or service for 6 to 10 simultaneous users.

Disadvantages/Problems

- Libraries want to ensure the broadest public access to the information products available through STAT-USA at no cost to patrons. Since U.S. Government information cannot be copyrighted, libraries can freely disseminate electronic Government information products as broadly as they so choose (and their resources permit), thus undermining the ability of STAT-USA to exist as a self-funding agency. Although the payment by GPO of fees for access by depository libraries would compensate STAT-USA for the costs of providing FDLP access, it would not eliminate the problem created by libraries offering remote access or re-disseminating the information from STAT-USA. This problem is not unique to the FDLP; it exists even when the depository libraries (or others) purchase access to STAT-USA services.
- GPO incurs additional costs associated with purchasing access for depository libraries.

ISSUES TO BE ADDRESSED

Funding for Depository Copies

STAT-USA drastically reduced its costs for providing discs to the depository libraries by switching CD-ROM production from the National Technical Information Service (NTIS) to GPO. STAT-USA estimates it cost nearly \$75,000 per year to supply FDLP copies of CD-ROM titles produced through non-GPO replication contracts. These funds are paid by GPO now that the NTDB is produced through a GPO CD-ROM replication contract.

Costs for FDLP access to STAT-USA/Internet currently are covered by STAT-USA. GPO could purchase access for the depository libraries, either using STAT-USA's published rates or by negotiating a special rate for depository libraries.

Training

STAT-USA has reduced its training activities for depository librarians from prior years. STAT-USA conducted over 30 specialized library training programs throughout the country during the first two years the NTDB was operating. We receive continuing requests for additional training classes today. However, it is much more difficult to offer these training classes; they generally can be considered only for large gatherings such as the annual Depository Library Conference, when STAT-USA staff are traveling for commercial conferences, or when traveling costs are defrayed by library organizations. For example, virtually no training has been provided for depository library access to STAT-USA/Internet. Moreover, a new generation NTDB CD-ROM software will be released in 1996. It is unlikely significant training activities can be held for this new format. This increases the burden on depository librarians to create their own documentation, become self-taught, or rely on other avenues to ensure they can use these services. STAT-USA could afford to provide additional training if GPO purchased its services on behalf of the FDLP. Alternatively, GPO could negotiate to "purchase" additional training services from STAT-USA if STAT-USA continues to offer free FDLP access.

Fee vs. Free

The final, and most important, issue facing fee-based agencies is the conflict between the federal statutes that seek to assure free public access through the FDLP while also requiring fee-based agencies to recover not just the costs of dissemination, but also their development costs. Libraries want to ensure the broadest public access to Government information products at no cost to patrons. By contrast, fee-based agencies must charge fees to support the creation, organization, and dissemination of their electronic information services, without the protection of copyright or copyright-like restrictions on their use.

The fee versus free issue was a relatively minor issue when library patrons literally walked through a door and used a paper document such as a book or pamphlet. Today's electronic information technology, however, makes this a much more serious issue. Library patrons no longer need to be in the physical library. Instead, they can use library holdings from across the

street or around the world. Since U.S. Government information cannot be copyrighted, depository

libraries can freely disseminate Government information products as broadly as they so choose (and their resources permit).

These library-based dissemination activities make sense from the library's perspective. It is far easier for educational institutions to create networked collections of information accessible from student dorm rooms or faculty offices than to provide walk-in access to a limited number of computer workstations located in the library. Similarly, a public library may wish to serve all its branches, or offer remote access to its patrons from their homes or offices.

Many examples exist where libraries have subscribed to STAT-USA electronic information services, or received them free of charge as depository libraries, and then redistributed the information via free electronic information services. Significant portions of the National Trade Data Bank and virtually all the files found on the Economic Bulletin Board are "repackaged" by one or more libraries and distributed for free. For example, the University of Michigan operates a virtual mirror site of the EBB; they download EBB files every day, post them on the University of Michigan gopher service and make them available to two constituent groups -- students and faculty at the University of Michigan and other depository libraries. Unfortunately, through their efforts EBB files also are distributed to the rest of the world at no charge. There is so much confusion on this issue that large information vendors such as America Online even refer their customers to the "Economic Bulletin Board at the University of Michigan."

However, the same library dissemination activities place fee-based electronic information services like STAT-USA in financial vises. It is much more difficult for fee-based agencies to organize and operate their electronic information collection activities when the public is increasingly reluctant to pay for data freely available from other sources. This creates a lose-lose situation for the fee-based agency and the depository libraries. The agencies cut back operations because they do not have sufficient revenue to operate their services and the libraries (and other users) receive poor quality service and/or smaller amounts of information. Ultimately, the downward spiral in potential revenues creates strong incentives for fee-based agencies to withhold information products from the depository library system altogether and to impose severe restrictions of its use, whether by subscribers or those receiving it through the FDLP. The latter action violates the policy articulated in OMB Circular A-130 that agencies should not impose copyright-like restrictions on Government electronic information services.

Attachment D-15

Task 10B: Case Study on the National Library of Medicine MEDLINE Service

TASK 10B: Evaluation of alternatives for including the National Library of Medicine (NLM) MEDLINE data, available as an electronic fee-based service, in the FDLP.

BACKGROUND

MEDLARS is a computerized system of databases and data banks targeted to health professionals and medical libraries. It is operated by the National Library of Medicine (NLM). Users may search MEDLARS computer files to produce a list of publications (bibliographic citations) or to retrieve factual information on a specific question. Users of MEDLARS include universities, medical schools, hospitals, Government agencies, commercial and nonprofit organizations, and private individuals. MEDLARS comprises two computer subsystems, ELHILL and TOXNET, on which reside over 40 online databases containing about 16 million references. ELHILL databases provide access to information on a wide range of subjects relating to biomedicine. TOXNET (TOXicology data NETwork) is a computerized collection of files on toxicology, hazardous chemicals and related areas.

MEDLINE (MEDlars onLINE), part of ELHILL, is NLM's premier bibliographic database covering the fields of medicine, nursing, dentistry, veterinary medicine, and preclinical sciences. Journal articles are indexed for MEDLINE, and their citations are searchable, using NLM's controlled vocabulary, MeSH (Medical Subject Headings). MEDLINE contains all citations published in *Index Medicus*, and also corresponds in part to the *International Nursing Index* and the *Index to Dental Literature*. MEDLINE contains about 7.2 million records with about 31,000 new citations added to the database each month. It indexes articles from more than 3,800 international biomedical journals dating from 1966 to the present.

NLM is authorized by law (P.L. 89-941) and by regulation (42 CFR Chap. 1, § 4.7) to charge fees to users of its specialized bibliographic services, including its electronic information service, or its information retrieval system computer tapes. There are several different rate structures for the MEDLARS databases. The one most applicable to the FDLP is a fixed-fee rate, available for organizations with many potential searchers. One fixed-fee, one registration, and one ID is established between NLM and the parent organization. The negotiated fixed-fee is based on NLM formulas about anticipated use patterns, and other costs.

NLM currently is offering free access to four MEDLARS databases: three online AIDS databases, as well as DIRLINE, an online directory of health and biomedical resources of all types, primarily in the United States. NLM still requires a registration process for use of these free databases.

NLM has an expanding World Wide Web site. However, the head of the NLM Office of Public Information indicated that the NLM Web site is "mature" and would not expand to include more free information products. He said NLM has already identified the databases that it wants to offer free on the Web. One of these, an Aids Bibliography, currently is issued to depository libraries in paper. The others have no print or microfiche counterpart in the FDLP.

FEDERAL DEPOSITORY DISTRIBUTION

There are several publications either currently or formerly delivered to depository libraries in print format which have content included in MEDLARS. For example, MEDLINE includes the citations that are in the print *Index Medicus*, a very costly depository print title. The MEDLINE database also contains information in addition to what appears in the print *Index Medicus*, including corrections to the information in the printed edition.

The following titles have been discontinued in print format, but the content is available at no cost via the Internet. The result is a cost savings to the FDLP, as shown below:

NLM Titles No Longer Available to the FDLP in Print Format	Annual GPO Cost Savings**	Frequency	Media
National Library of Medicine Current Catalog (last issued 1993)	\$757.89 (500 copies = \$1.52 each)	Quarterly	Microfiche
National Library of Medicine Audio Visual Catalog (last issued 1993)	\$7,551.64 (461 copies = \$16.38 each)	Quarterly	Paper
Total Annual GPO Savings	\$8,309.53		

** Based on GPO printing and binding costs x number of selecting depository libraries, claims copies, and postage

The Aids Bibliography continues in the FDLP in paper format, but the content also is available at no cost via the Internet. If FDLP distribution of the Aids Bibliography were discontinued there would be a cost savings to the FDLP, as shown below:

NLM Titles Still in the FDLP with Content Available via Internet	Potential Annual GPO Cost Savings**	Frequency	Media
AIDS Bibliography	\$24,781 (782 copies = \$2.64 each)	Monthly	Paper
Total Annual GPO Savings	\$24,781		

** Based on GPO printing and binding costs x number of selecting depository libraries, claims copies, and postage

On October 5, 1995, members of the Task 10 team and the Director of Library Programs Service, met with top NLM officials to ascertain if GPO might establish an agreement with NLM to provide free access to NLM fee-based electronic information services for depository libraries. A number of issues were discussed, but most importantly for this task, NLM explained it was not in a position to provide free public access to all depository libraries.

However, NLM suggested that the team consider a pilot project involving a limited number of depository libraries. Internet Grateful Med was suggested as a potential test application, following which NLM could examine the issue of pricing. Data collected in the context of such a test could possibly result in the establishment of fixed-fee access for depository libraries.

DISSEMINATION ALTERNATIVES

Alternative A

Simultaneously drop traditional format NLM publications from the FDLP while substituting access to NLM's fee-based MEDLARS system for depository libraries. GPO would purchase access to MEDLARS for depository libraries at a fixed-fee rate which would allow for unlimited searching for all depository libraries, or a fixed amount or ceiling on use could be arranged based on anticipated use patterns and other negotiable factors. Part or all of the cost for the depository library access to MEDLARS could be met by immediately eliminating paper format distribution of some costly titles from the FDLP.

Major NLM Titles in the FDLP and Also in NLM's Fee-based Online MEDLARS Service	
Current Major NLM Titles	Total Annual Cost**
<i>Abridged Index Medicus</i> (monthly - paper)	\$16,477.02 (607 copies = \$27.15 each)
<i>Index Medicus</i> (14 issues per year - paper)	\$133,824.33 (730 copies = \$183.32 each)
<i>Cumulated Index Medicus</i>	\$187,938.50 (730 copies = \$257.45 each)
Total Annual Savings	\$338,239.85

** Based on GPO printing & binding costs x number of selecting depository libraries + claims copies, and postage.

Benefits

- This approach yields the maximum cost savings to GPO.
- MEDLARS is more timely than its print counterparts.
- NLM ensures that the historical information available through its electronic information service is continually edited and updated. This prevents use of outdated or incorrect information that remains in the paper copies.
- MEDLARS contains additional information that is not distributed through the FDLP.
- Any additional costs to NLM for depository library access are offset by the fee paid by GPO.

Disadvantages/Problems

- Public access at or through depository libraries could impact NLM's revenue from its electronic information services, even though GPO is paying NLM a fee for that access.

- To use the service effectively, depository libraries and users will need training that is not required to use the print products.

Alternative B

Use a phased-in approach where traditional formats and electronic information service options will be offered as choices in the FDLP, with the elimination of the paper format to occur at a preannounced date. If the *Federal Depository Library Program: Information Dissemination and Access Strategic Plan, FY 1996 - FY 2001* (Strategic Plan) for the FDLP is approved, the phased-in approach would have to be concluded by the end of FY 1998 since the plan eliminates all dual distribution to depository libraries.

Benefits

- This "parallel" approach will make the transition easier on the libraries.
- MEDLARS is more timely than its print counterparts.
- NLM ensures that the historical information available through its electronic information service is continually edited and updated.
- MEDLARS contains additional information that is not distributed through the FDLP.
- Additional costs to NLM for depository access are offset by fees paid by GPO.

Disadvantages/Problems

- It may be difficult to achieve short-term cost savings sufficient to offset the fees for access with a transitional approach.
- Public access at or through depository libraries could impact NLM's revenue from its electronic information services, even though GPO is paying NLM a fee for that access.
- To use the service effectively, depository libraries and users will need training that is not required to use the print products.

ISSUES TO BE ADDRESSED

Impact of FDLP Inclusion on Agencies' Fee-Based Services

The statutory and regulatory basis for NLM's information dissemination may operate at cross purposes to the public information goals of the FDLP. NLM is concerned that no-fee access via depository libraries would undercut their market. Fee-based information programs, where the agency must charge users in order to recover costs, are a barrier to participation in the FDLP.

Mission of a Publishing Agency to Disseminate Its Information

Dissemination of information products to the general public through the FDLP is not viewed as a part of, or consistent with, the agency's information delivery mission to its primary customers. Although NLM has been willing to have its print publications available through the FDLP, it does not recognize a comparable obligation for electronic information products. A clarification of law may be necessary to make it clear to agencies that laws directing agency information dissemination do not, unless specifically stated, eliminate the responsibility for participation in the FDLP.

Attachment E:

**National Commission on Libraries and Information Science (NCLIS)
Principles of Public Information**

**National Commission on Libraries and Information Science
Principles of Public Information**

From the *Federal Register Online via GPO Access*, Volume 60, Number 111 (June 9, 1995), Page 30609

Principles of Public Information

Preamble

From the birth of our nation, open and uninhibited access to public information has ensured good government and a free society. Public information helps to educate our people, stimulate our progress and solve our most complex economic, scientific and social problems. With the coming of the Information Age and its many new technologies, however, public information has expanded so quickly that basic principles regarding its creation, use and dissemination are in danger of being neglected and even forgotten. The National Commission on Libraries and Information Science, therefore, reaffirms that the information policies of the U.S. government are based on the freedoms guaranteed by the constitution, and on the recognition of public information as a national resource to be developed and preserved in the public interest. We define public information as information created, compiled and/or maintained by the Federal Government. We assert that public information is information owned by the people, held in trust by their government, and should be available to the people except where restricted by law. It is in this spirit of public ownership and public trust that we offer the following Principles of Public Information.

Principles

1. The Public Has the Right of Access to Public Information

Government agencies should guarantee open, timely and uninhibited access to public information except where restricted by law. People should be able to access public information, regardless of its format, without any special training or expertise.

2. The Federal Government Should Guarantee the Integrity and Preservation of Public Information, Regardless of its Format

By maintaining public information in the face of changing times and technologies, government agencies assure the government's accountability and the accessibility of the government's business to the public.

3. The Federal Government Should Guarantee the Dissemination, Reproduction, and Redistribution of Public Information

Any restriction of dissemination or any other function dealing with public information must be strictly defined by law.

4. The Federal Government Should Safeguard the Privacy of Persons Who Use or Request Information, as Well as Persons About Whom Information Exists in Government Records

5. The Federal Government Should Ensure a Wide Diversity of Sources of Access, Private as Well as Governmental, to Public Information

Although sources of access may change over time and because of advances in technology, government agencies have an obligation to the public to encourage diversity.

6. The Federal Government Should Not Allow Cost to Obstruct the People's Access to Public Information

Costs incurred by creating, collecting and processing information for the government's own purposes should not be passed on to people who wish to utilize public information.

7. The Federal Government Should Ensure that Information About Government Information is Easily Available and in a Single Index Accessible in a Variety of Formats

The government index of public information should be in addition to inventories of information kept within individual government agencies.

8. The Federal Government Should Guarantee the Public's Access to Public Information, Regardless of Where They Live and Work, through National Networks and Programs like the Depository Library Program

Government agencies should periodically review such programs as well as the emerging technology to ensure that access to public information remains inexpensive and convenient to the public.

Conclusion

The National Commission on Libraries and Information Science offers these Principles of Public Information as a foundation for the decisions made throughout the Federal Government and the nation regarding issues of public information. We urge all branches of the Federal Government, state and local governments and the private sector to utilize these principles in the development of information policies and in the creation, use, dissemination and preservation of public information. We believe that in so acting, they will serve the best interests of the nation and the people in the Information Age.

Attachment F:

Title 44 United States Code Chapter 19--Depository Library Program

**Title 44 United States Code Chapter 19--
Depository Library Program**

From the U.S. Code Online via *GPO Access* [wais.access.gpo.gov]¹
[Laws in effect as of January 3, 1995]
[Document not affected by Public Laws enacted between January 3, 1995 and May 1, 1996]

TITLE 44--PUBLIC PRINTING AND DOCUMENTS

CHAPTER 19--DEPOSITORY LIBRARY PROGRAM

Sec. 1901. Definition of Government publication

“Government publication” as used in this chapter, means informational matter which is published as an individual document at Government expense, or as required by law.

Sec. 1902. Availability of Government publications through Superintendent of Documents; lists of publications not ordered from Government Printing Office

Government publications, except those determined by their issuing components to be required for official use only or for strictly administrative or operational purposes which have no public interest or educational value and publications classified for reasons of national security, shall be made available to depository libraries through the facilities of the Superintendent of Documents for public information. Each component of the Government shall furnish the Superintendent of Documents a list of such publications it issued during the previous month, that were obtained from sources other than the Government Printing Office.

Sec. 1903. Distribution of publications to depository libraries; notice to Government components; cost of printing and binding

Upon request of the Superintendent of Documents, components of the Government ordering the printing of publications shall either increase or decrease the number of copies of publications furnished for distribution to designated depository libraries and State libraries so that the number of copies delivered to the Superintendent of Documents is equal to the number of libraries on the list. The number thus delivered may not be restricted by any statutory limitation in force on August 9, 1962. Copies of publications furnished the Superintendent of Documents for distribution to designated depository libraries shall include--
the journals of the Senate and House of Representatives;
all publications, not confidential in character, printed upon the requisition of a congressional committee;

Senate and House public bills and resolutions; and

¹Historical and revision notes removed.

reports on private bills, concurrent or simple resolutions;
but not so-called cooperative publications which must necessarily be sold in order to be self-sustaining.

The Superintendent of Documents shall currently inform the components of the Government ordering printing of publications as to the number of copies of their publications required for distribution to depository libraries. The cost of printing and binding those publications distributed to depository libraries obtained elsewhere than from the Government Printing Office, shall be borne by components of the Government responsible for their issuance; those requisitioned from the Government Printing Office shall be charged to appropriations provided the Superintendent of Documents for that purpose.

Sec. 1904. Classified list of Government publications for selection by depositories

The Superintendent of Documents shall currently issue a classified list of Government publications in suitable form, containing annotations of contents and listed by item identification numbers to facilitate the selection of only those publications needed by depository libraries. The selected publications shall be distributed to depository libraries in accordance with regulations of the Superintendent of Documents, as long as they fulfill the conditions provided by law.

Sec. 1905. Distribution to depositories; designation of additional libraries; justification; authorization for certain designations

The Government publications selected from lists prepared by the Superintendent of Documents, and when requested from him, shall be distributed to depository libraries specifically designated by law and to libraries designated by Senators, Representatives, and the Resident Commissioner from Puerto Rico, by the Commissioner of the District of Columbia,² and by the Governors of Guam, American Samoa, and the Virgin Islands, respectively. Additional libraries within areas served by Representatives or the Resident Commissioner from Puerto Rico may be designated by them to receive Government publications to the extent that the total number of libraries designated by them does not exceed two within each area. Not more than two additional libraries within a State may be designated by each Senator from the State. Before an additional library within a State, congressional district or the Commonwealth of Puerto Rico is designated as a depository for Government publications, the head of that library shall furnish his Senator, Representative, or the Resident Commissioner from Puerto Rico, as the case may be, with justification of the necessity for the additional designation. The justification, which shall also include a certification as to the need for the additional depository library designation, shall be signed by the head of every existing depository library within the congressional district or the Commonwealth of Puerto Rico or by the head of the library authority of the State or the Commonwealth of Puerto Rico, within which the additional depository library is to be located. The justification for additional depository library designations shall be transmitted to the Superintendent of Documents by the Senator, Representative, or the Resident Commissioner from Puerto Rico, as the case may be. The Commissioner of the District of Columbia may designate two depository libraries in the District of Columbia, the Governor of Guam and the Governor of American Samoa may each designate one depository library in Guam and American Samoa, respectively, and the Governor of the Virgin Islands may designate one depository library on the island of Saint Thomas and one on the island of Saint Croix.

Transfer of Functions

² See Transfer of Functions note below.

Office of Commissioner of District of Columbia, as established under Reorg. Plan No. 3 of 1967, eff. Nov. 3, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, Sec. 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-241 of District of Columbia Code.

Northern Marianas College as Depository

Pub. L. 101-219, title II, Sec. 202, Dec. 12, 1989, 103 Stat. 1874, provided that: "The Northern Marianas College is hereby constituted a depository to receive Government publications, and the Superintendent of Documents shall supply to the Northern Marianas College one copy of each such publication in the same form as supplied to other designated depositories."

District of Columbia Public Library as Depository

Act Sept. 28, 1943, ch. 243, 57 Stat. 568, provided: "That the Public Library of the District of Columbia is hereby constituted a designated depository of governmental publications, and the Superintendent of Documents shall supply to such library one copy of each such publication, in the same form as supplied to other designated depositories."

Sec. 1906. Land-grant colleges constituted depositories

Land-grant colleges are constituted depositories to receive Government publications subject to the depository laws.

Sec. 1907. Libraries of executive departments, service academies, and independent agencies constituted depositories; certifications of need; disposal of unwanted publications

The libraries of the executive departments, of the United States Military Academy, of the United States Naval Academy, of the United States Air Force Academy, of the United States Coast Guard Academy, and of the United States Merchant Marine Academy are designated depositories of Government publications. A depository library within each independent agency may be designated upon certification of need by the head of the independent agency to the Superintendent of Documents. Additional depository libraries within executive departments and independent agencies may be designated to receive Government publications to the extent that the number so designated does not exceed the number of major bureaus or divisions of the departments and independent agencies. These designations may be made only after certification by the head of each executive department or independent agency to the Superintendent of Documents as to the justifiable need for additional depository libraries. Depository libraries within executive departments and independent agencies may dispose of unwanted Government publications after first offering them to the Library of Congress and the Archivist of the United States.

Sec. 1908. American Antiquarian Society to receive certain publications

One copy of the public journals of the Senate and of the House of Representatives, and of the documents published under the orders of the Senate and House of Representatives, respectively, shall be transmitted to the Executive of the Commonwealth of Massachusetts for the use and benefit of the American Antiquarian Society of the Commonwealth.

Sec. 1909. Requirements of depository libraries; reports on conditions; investigations; termination; replacement

Only a library able to provide custody and service for depository materials and located in an area where it can best serve the public need, and within an area not already adequately served by existing depository libraries may be designated by Senators, Representatives, the Resident Commissioner from Puerto Rico, the Commissioner of the District of Columbia,³ or the Governors of Guam, American Samoa, or the Virgin Islands as a depository of Government publications. The designated depository libraries shall report to the Superintendent of Documents at least every two years concerning their condition.

The Superintendent of Documents shall make firsthand investigation of conditions for which need is indicated and include the results of investigations in his annual report. When he ascertains that the number of books in a depository library is below ten thousand, other than Government publications, or it has ceased to be maintained so as to be accessible to the public, or that the Government publications which have been furnished the library have not been properly maintained, he shall delete the library from the list of depository libraries if the library fails to correct the unsatisfactory conditions within six months. The Representative or the Resident Commissioner from Puerto Rico in whose area the library is located or the Senator who made the designation, or a successor of the Senator, and, in the case of a library in the District of Columbia, the Commissioner of the District of Columbia, and, in the case of a library in Guam, American Samoa, or the Virgin Islands, the Governor, shall be notified and shall then be authorized to designate another library within the area served by him, which shall meet the conditions herein required, but which may not be in excess of the number of depository libraries authorized by laws within the State, district, territory, or the Commonwealth of Puerto Rico, as the case may be.

Transfer of Functions

Office of Commissioner of District of Columbia, as established under Reorg. Plan No. 3 of 1967, eff. Nov. 3, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, Sec. 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-241 of District of Columbia Code.

Sec. 1910. Designations of replacement depositories; limitations on numbers; conditions

The designation of a library to replace a depository library, other than a depository library specifically designated by law, may be made only within the limitations on total numbers specified by

section 1905 of this title, and only when the library to be replaced ceases to exist, or when the library

³ See Transfer of Functions note below.

voluntarily relinquishes its depository status, or when the Superintendent of Documents determines that it no longer fulfills the conditions provided by law for depository libraries.

Sec. 1911. Free use of Government publications in depositories; disposal of unwanted publications

Depository libraries shall make Government publications available for the free use of the general public, and may dispose of them after retention for five years under section 1912 of this title, if the depository library is served by a regional depository library. Depository libraries not served by a regional depository library, or that are regional depository libraries themselves, shall retain Government publications permanently in either printed form or in microfacsimile form, except superseded publications or those issued later in bound form which may be discarded as authorized by the Superintendent of Documents.

Sec. 1912. Regional depositories; designation; functions; disposal of publications

Not more than two depository libraries in each State and the Commonwealth of Puerto Rico may be designated as regional depositories, and shall receive from the Superintendent of Documents copies of all new and revised Government publications authorized for distribution to depository libraries. Designation of regional depository libraries may be made by a Senator or the Resident Commissioner from Puerto Rico within the areas served by them, after approval by the head of the library authority of the State or the Commonwealth of Puerto Rico, as the case may be, who shall first ascertain from the head of the library to be so designated that the library will, in addition to fulfilling the requirements for depository libraries, 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); and within the region served will provide interlibrary loan, reference service, and assistance for depository libraries in the disposal of unwanted Government publications. The agreement to function as a regional depository library shall be transmitted to the Superintendent of Documents by the Senator or the Resident Commissioner from Puerto Rico when the designation is made.

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.

Sec. 1913. Appropriations for supplying depository libraries; restriction

Appropriations available for the Office of Superintendent of Documents may not be used to supply depository libraries documents, books, or other printed matter not requested by them, and their requests shall be subject to approval by the Superintendent of Documents.

Sec. 1914. Implementation of depository library program by Public Printer

The Public Printer, with the approval of the Joint Committee on Printing, as provided by section 103 of this title, may use any measures he considers necessary for the economical and practical implementation of this chapter.

Sec. 1915. Highest State appellate court libraries as depository libraries

Upon the request of the highest appellate court of a State, the Public Printer is authorized to

designate the library of that court as a depository library. The provisions of section 1911 of this title shall not apply to any library so designated.

Sec. 1916. Designation of libraries of accredited law schools as depository libraries

(a) Upon the request of any accredited law school, the Public Printer shall designate the library of such law school as a depository library. The Public Printer may not make such designation unless he determines that the library involved meets the requirements of this chapter, other than those requirements of the first undesignated paragraph of section 1909 of this title which relate to the location of such library.

(b) For purposes of this section, the term "accredited law school" means any law school which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner of Education⁴ for such purpose or accredited by the highest appellate court of the State in which the law school is located.

Transfer of Functions

Functions of Commissioner of Education transferred to Secretary of Education pursuant to section 3441(a)(1) of Title 20, Education.

⁴See Section 1916, Transfer of Functions.

Attachment G:

**Summary of the Results of the
1995 Biennial Survey of Federal Depository Libraries**

Summary of the Results of the 1995 Biennial Survey of Federal Depository Libraries

As of January 16, 1996

1,372 Depository Libraries Responding

Online Catalog

Libraries with online catalogs	1,175 (85.6%)
Libraries with online catalogs with dial-in access	956 (69.6%)
Libraries with online catalogs accessible from the Internet	854 (62.2%)
Libraries with online catalogs networked with other libraries	745 (54.3%)

Internet Tools Available for Primary Patrons

E-mail	664 (48.3%)
Telnet	799 (58.2%)
FTP	695 (50.6%)
Gopher	841 (61.2%)
WAIS	516 (37.6%)
WWW-nongraphical	559 (40.7%)
WWW-graphical	693 (50.5%)
No current Internet access	265 (19.3%)
Plan for Internet access in 1 year	216 (15.7%)
Plan for Internet access in 2 years	115 (8.3%)
No plans to have Internet access for staff	87 (6.3%)

Internet Tools Available at Public Access Workstations

E-mail	294 (21.4%)
Telnet	534 (38.9%)
FTP	423 (30.8%)
Gopher	617 (44.9%)
WAIS	370 (26.9%)
WWW-nongraphical	375 (27.3%)
WWW-graphical	516 (37.6%)
No current Internet access	341 (24.8%)
Plan for Internet access in 1 year	253 (18.4%)
Plan for Internet access in 2 years	160 (11.6%)
No plans to have Internet access for staff	169 (12.3%)

Libraries Providing GPO Access

Registered for GPO Access	545 (39.7%)
Provide through another institution's gateway	283 (20.6%)
No, but have plans to within 1 year	272 (19.8%)
No, but have plans to within 2 years	131 (9.5%)
No, have no plans to	127 (9.2%)

Use of the GPO Federal Bulletin Board

Daily or almost daily use by staff	15 (1.0%)
Occasional use by staff	123 (8.9%)
Less than once a week use by staff	481 (35.0%)
Have not yet registered for the GPO Federal Bulletin Board	732 (53.3%)

Estimated Daily Use of Depository Electronic Products

CD-ROMs

Not Used	211 (15.3%)
Less than 30 minutes	483 (35.2%)
30-59 minutes	240 (17.4%)
1-1.5 hours	131 (9.5%)
More than 1.5 hours	301 (21.9%)

Diskettes

Not Used	1,026 (74.8%)
Less than 30 minutes	302 (22.0%)
30-59 minutes	15 (1.1%)
1-1.5 hours	6 (0.4%)
More than 1.5 hours	12 (0.9%)

GPO Access

Not Used	579 (42.2%)
Less than 30 minutes	583 (42.5%)
30-59 minutes	117 (8.5%)
1-1.5 hours	41 (2.9%)
More than 1.5 hours	34 (2.5%)

Federal Bulletin Board

Not Used	936 (68.2%)
Less than 30 minutes	381 (27.8%)
30-59 minutes	31 (2.3%)
1-1.5 hours	4 (0.3%)
More than 1.5 hours	3 (0.2%)

SuDocs World Wide Web Site

Not Used	692 (50.4%)
Less than 30 minutes	547 (40.0%)
30-59 minutes	71 (5.2%)
1-1.5 hours	17 (1.2%)
More than 1.5 hours	23 (1.7%)

Accessibility of Depository CD-ROMs

Accessible from stand-alone workstations	1,140 (83.0%)
--	---------------

Accessible from Documents or reference department LAN 157 (11.4%)
 Accessible from library-wide LAN 203 (14.7%)
 Accessible through a Wide Area Network, beyond the library 109 (7.9%)

 Have CD-ROM capability -- do not select depository CD-ROMs 73 (5.3%)
 Select depository CD-ROMs -- do not have CD-ROM capability 56 (4.0%)
 Do not have CD-ROM capability -- do not select depository CD-ROMs 42 (3.0%)

CD-ROM Drives Primarily Supporting the Documents Collection

None 112 (8.1%)
 1 230 (16.7%)
 2-4 408 (29.7%)
 5-10 327 (23.8%)
 11-20 164 (11.9%)
 21-40 82 (5.9%)
 More than 40 36 (2.6%)

Computer Workstations Available Primarily for Depository Patron Use

No. of Computers	PCXT	286	386	486	Pentium	Mac
0	636	505	421	262	568	603
1	95	199	275	392	136	68
2-4	85	76	180	402	60	52
5-10	8	9	18	60	7	11
11-20	4	2	4	7	1	1
21-40	1	0	2	4	0	0
40+	1	1	1	4	3	3

Computer Workstations with Internet Access Available for Depository Patron Use

No. of Computers	PCXT	286	386	486	Pentium	Mac
0	811	700	667	564	662	675
1	22	26	65	174	50	39
2-4	26	16	57	147	47	28
5-10	20	9	25	76	17	26
11-20	13	6	18	55	18	12
21-40	8	1	7	28	9	6
40+	3	1	9	36	9	10

Methods of Patron Access to the Internet

Modem	99 (7.2%)
Direct	625 (45.5%)
Both modem and direct	161 (11.7%)
Not Available	78 (5.6%)

If electronic media and online services replace most paper and microfiche distributed through the FDLP in the next two years, would your library retain depository status?

Yes	1,233 (89.8%)
No	95 (6.9%)
Left blank	42 (3.0%)

Follow-up letters were sent to those depository libraries who responded "no" to the above question or left it blank. Of these, 62 depository libraries responded to the letter with more information concerning their initial response.

Cited Financial Reasons	26.3%
Budget shortfall - not keeping pace with inflation	
Mushrooming costs for equipment	
Higher salaries for staff expertise	
Cited Staffing Implications of the Transition	17.5%
Lack of public service staff	
Lack of patron expertise	
Training of patrons	
Training of staff on new systems	
Cited Problems with Identifying/Preserving/Archiving Electronic Information	10.1%

Cited Problems with Electronic Information Products 8.8%
Lack of uniform graphical interfaces
Lack of software standardization

Cited Other Library Priorities 8.8%
Automation
Upgrading OPAC
Installing LAN

Other Reasons Cited:

- FDLP no longer an exclusive source for Government information
- Obligations remain but costs, primarily for equipment, increase
- Access will be restricted to the computer literate

Attachment H:

**Recommended Minimum Specifications for
Public Access Workstations in Federal Depository Libraries**

Recommended Minimum Specifications for Public Access Workstations in Federal Depository Libraries

Published in *Administrative Notes*, May 15, 1996

These recommended specifications are intended to assist depository librarians who are planning purchases of new personal computers (PCs) for public use in Federal depository libraries. The "Recommended Minimum Technical Guidelines," last published by the Library Programs Service (LPS) in January 1995, are superseded.

Related Issues and Considerations

The specifications are intended to assist in the purchase of new public access work stations capable of using most text-based FDLP electronic information products. Additional or different capabilities may be desirable for work stations used by library staff. Some libraries may elect to add applications software, such as spreadsheet, word processing, or data base software, to their public access work stations, but this is a local resource management decision.

LPS has been advised that work stations which conform to these minimum specifications *may not be adequate* for electronic cartographic information, or to run geographic information system (GIS) software. LPS is working with the Cartographic Users Advisory Council (CUAC) to develop a supplemental set of specifications which support GIS applications.

Depository libraries are encouraged to adapt this menu of specifications to fit their local situations. Although these specifications describe a robust multi-purpose single work station, many institutions are providing electronic access in networked environments. LPS cannot anticipate or address every possible depository library computer scenario. Rather, these specifications are intended to assist depository staff in making informed purchases which will best achieve the goal of providing public access to Federal Government information in a variety of electronic formats.

Computer equipment in depository libraries must be sufficient to allow timely and equitable public access to the Government information products accessible via Internet, to CD-ROMs, and should allow printing or downloading information selected by the user.

Given the large variation in the size of Federal depository libraries and the numbers of users served, LPS can not recommend a universal standard for the number of public access work stations in any given library. However, when assessing work station needs, librarians should consider such local factors as the amount of information provided over the Internet compared with the amount from CD-ROM, whether and how the work stations are networked, to what extent users are permitted to perform additional information processing at the public access work stations, whether users are experiencing extended waiting times at library peak service hours, etc.

LPS has deliberately not provided specifications for Apple Macintosh (Mac) or UNIX work stations. Based on responses to the 1995 Biennial Survey, Mac's are the computer of choice for a small minority of the depository libraries. However, depository libraries which have a Mac or UNIX environment should assess their functional capabilities in light of these specifications.

Many depository libraries have existing computer equipment which is no longer "state of the art." These specifications are not intended to be applied retrospectively to existing equipment, although they may assist in determining the appropriate time for replacement or upgrading.

These specifications are not intended to describe the best possible work station. Instead, they are the minimum, or baseline, specifications which should be considered when purchasing new stand-alone public access work stations. LPS encourages the purchase of equipment which exceeds these minimum specifications if economically feasible. The speed at which the computer capabilities evolve suggests that a higher initial outlay will result in an extended useful life for the equipment.

Minimum Work Station Configuration

Computer	IBM-compatible Pentium chip computer operating at 100 mhz
Memory	16 megabytes (Mb) of RAM
Hard Disk Drive	1.2 gigabytes (Gb) capacity; 12 ms or less access time; IDE or SCSI interface
Floppy Disk	3.5" high density drive. Consider a 5.25" drive if you have a collection of 5.25" diskettes that have not yet been converted to 3.5".
Expansion	Three free expansion bus board slots; 1 or more additional hard drive bay(s) desirable; 2 serial ports and 1 parallel ports.
Monitor	Super VGA (SVGA) compatible, with at least 70Mhz vertical refresh rate at SVGA resolution (800X600) non-interlaced, 0.28 or smaller dot pitch; display card which supports 800X600 resolution at 70Mhz or faster. 15" monitor minimum, but consider 17". Consider 21" to display full page images.
CD-ROM Drive	For stand-alone use, single or multiple platter drive (ISO 9660 standard). 300 K/byte per second transfer rate, quadruple (4X) speed support. CD-ROM XA support.
Printer	Ink jet or laser printer which supports PostScript. 2 Mb memory. Consider color.
Pointing Device	Microsoft-compatible mouse or similar pointing device to support programs and Microsoft Windows.

Network Connection	Direct Internet or SLIP/PPP connection. Or
Modem	28.8 kbps data transfer rate, meeting V.32, V.42, V.42bis or MNP 5 standards and compatible with Hayes "AT" command set.
Operating System	Microsoft Windows 3.1 or later (requires MS-DOS 3.3 or higher). Device driver for CD-ROM drive and MS-DOS CD-ROM extensions.
Communications	Package which supports multiple file transfer protocols; several terminal emulations such as ANSI-BBS, TTY, VT-100. Data transfer rates up to 28.8 kbps. Supports Hayes "AT" compatible modems; manages telnet sessions. Consider ability to "script" log-on files.
Client Software	World Wide Web graphical browser with forms support. ANSI Z39.50 compatible, GILS-aware WAIS client. Consider EINet WinWais customized for <i>GPO Access</i> .
Viewers	PDF file viewer. GIF and JPEG graphics viewers.

Applications Software Options

Database	dBASE file format compatible or dBASE and ASCII comma delimited file importing database management software; useful to have fixed field format (SDF) import ability.
Spreadsheet	Lotus .WK1 file format compatible software; support for other formats such as Excel and Quattro Pro.
Word Processing	Software capable of importing major text file formats (Microsoft Word, WordPerfect, Multimate, etc.) and ASCII text files.

(Published in *Administrative Notes*, the newsletter of the Federal Depository Library Program, May 15, 1996)

Attachment I:
Comments from U.S. Senators

JOHN WARNER, VIRGINIA, CHAIRMAN

MARK O. HATFIELD, OREGON	WENDELL H. FORD, KENTUCKY
JESSE HELMS, NORTH CAROLINA	CLAIBORNE PELL, RHODE ISLAND
ROBERT DOLE, KANSAS	ROBERT C. BYRD, WEST VIRGINIA
TED STEVENS, ALASKA	DANIEL K. INOUIE, HAWAII
MITCH MCCONNELL, KENTUCKY	DANIEL PATRICK MOYNIHAN, NEW YORK
THAD COCHRAN, MISSISSIPPI	CHRISTOPHER J. DODD, CONNECTICUT
RICK SANTORUM, PENNSYLVANIA	DIANNE FEINSTEIN, CALIFORNIA
DON NICKLES, OKLAHOMA	

GRAYSON WINTERLING, STAFF DIRECTOR
 KENNIE L. GILL, DEMOCRATIC STAFF DIRECTOR AND CHIEF COUNSEL

United States Senate

COMMITTEE ON
 RULES AND ADMINISTRATION
 WASHINGTON, DC 20510-6325

May 24, 1996

The Honorable Michael F. DiMario
 Public Printer
 Government Printing Office
 Washington, D.C. 20401

Dear Mr. DiMario:

In reviewing your draft Study To Identify Measures for a Successful Transition to a More Electronic Federal Depository Library Program (FDLP), we offer the following comments.

The FDLP has served, and continues to serve, the American public by insuring localized access to federal government information. The mission continues to be as important today to the fundamental success of our democracy as it was when the FDLP was created. As you know, the Senate Committee on Rules and Administration is holding a series of hearings on Public Access to Government Information in the 21st Century. It would be helpful for the GPO to elaborate on the numbers and demographics of the depository library user community in describing the current program, and how electronic dissemination will expand that profile.

While the Study is comprehensive in many respects, and helpful in identifying both challenges as well as solutions, we note the Study did not include a complete picture of the present life cycle costs of federal information to the taxpayers, the depository libraries, and the library users.

Tax dollars already support the creation, production, location and dissemination of government information to the depository program, depository libraries add considerable value to that cost by supporting the retrieval and storage of such information, and users who wish to copy government information presumably carry that cost now.

As our Committee reviews Title 44/GPO and the FDLP, it will be critical to understand how the transition to more electronic products changes the relative burdens of publishing, dissemination, retrieval, storage and use costs. Especially important to this Committee is information which characterizes how government agencies, printers, GPO, libraries and consumers around the nation are gearing up for digital products with or without government information as an incentive.

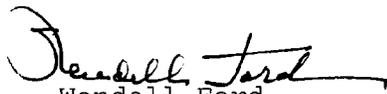
Without this information, it is difficult to assess the cost implications in the speed and manner of transitioning to a more electronic program. The Study raises the questions of whether an effective but rapid transition saves or transfers costs, whether it provides greater public access without increasing costs significantly, or whether cost increases are inherent, at least in the short-term.

The GPO Study participants effectively identify many of the barriers to a better FDLF -- from executive branch agency compliance with Title 44, to maintaining authentication of official government information, to statutory cost recovery conflicts with no-fee access, to cataloguing and permanent use issues. Many of these challenges have been difficult to resolve even without the added complexities of electronic product dissemination. At the same time, electronic posting of federal information on-line brings additional special challenges to locating and saving that information for the general public.

As this Committee reviews Title 44, it is our goal to increase public access to government information at the lowest possible cost to the taxpayers. We applaud the study's conclusion that it is not a matter of whether to transition to a more electronic program, but rather a matter of how to do so effectively, so that the information can be found, can be retrieved, and can be accessed by all taxpayers who desire the knowledge. The FDLF's original mandate, to assist Americans regardless of economic, educational, or geographic considerations, is one that must not be lost as we strategically and thoughtfully use the tools of the electronic age to enhance that mandate.

Enclosed also are the comments of several Virginia and Kentucky depository libraries who kindly provided us their insights in preparation for this Committee's upcoming hearings.

Sincerely,


Wendell Ford
Ranking Member


John Warner
Chairman

Enclosures

List of Enclosures

Chesapeake Public Library System, Chesapeake, Virginia

City of Norfolk, Department of Libraries, Norfolk, Virginia

College of William & Mary, Marshall-Wythe Law Library, Williamsburg, Virginia

College of William & Mary, Office of the Dean of University Libraries, Williamsburg, Virginia

Eastern Kentucky University, John Grant Crabbe Library, Richmond, Kentucky

George Mason University Library, Fairfax, Virginia (2)

The Library, Louisville, Kentucky

The Library of Virginia, Richmond, Virginia

Library of the United States Court of Appeals for the Fourth Circuit, Richmond, Virginia

Mary Washington College, Simpson Library, Fredericksburg, Virginia

Murray State University, Office of the Dean, University Libraries, Murray, Kentucky

National Defense University, Armed Forces Staff College, Library, Norfolk, Virginia

Old Dominion University, Office of the University Librarian, Norfolk, Virginia

Supreme Court of Virginia, Office of the Chief Justice, Richmond, Virginia
Enclosure: Virginia State Law Library, Richmond, Virginia

University of Virginia, Alderman Library, Charlottesville, Virginia

University of Virginia, Arthur J. Morris Law Library, Charlottesville, VA

Virginia Military Institute, Preston Library, Lexington, Virginia

Virginia Polytechnic Institute and State University, University Libraries, Blacksburg, Virginia

Virginia State University, Library & Technology Services, Petersburg, Virginia

Washington and Lee University, Law Library, Lexington, Virginia

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United States Senate

COMMITTEE ON
GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

May 23, 1996

Mr. Wayne Kelley
Superintendent of Documents
Chair, Electronic Federal Depository
Library Program Study
Government Printing Office
Washington, DC 20401

Dear Mr. Kelley:

Thank you for the work you have done on the Electronic Federal Depository Library Program Study. This study will go a long way in addressing the many issues facing Federal Depository Library System and its efforts to navigate successfully on the information superhighway.

I have three primary concerns about the Government Printing Office's (GPO) efforts to move to a more electronic dissemination system. First, rural communities, and other areas where computer technology is lagging, may not be able to bear the financial burden in the next few years of upgrading or installing adequate computer systems to make electronic document retrieval a reality. Second, electronic retrieval shifts the costs of printing from the supplier, in this case GPO, to the consumer. While GPO's printing costs may decrease, the costs of obtaining government documents may dramatically rise for some consumers. Third, we must make every effort to ensure, as more documents are added to the electronic system, a historical collection of documents is maintained.

The Study's decision to move to a five-to-seven-year transition is a step in the right direction in addressing these concerns. However, in the process of moving to a more electronic retrieval system, we must not disenfranchise those without the technology to take advantage of such a system.

With best wishes,

Cordially,


Ted Stevens

Attachment J:

Minutes from the Meeting of FDLP Study Working Group and Advisors,

April 18, 1996

**Minutes from the Meeting of FDLP Study Working Group and Advisors,
April 18, 1996**

On April 18, 1996, there was a meeting of the FDLP Study working group and advisors in order to provide the advisors with an opportunity to present their preliminary reactions on the draft Report to Congress. The minutes of the meeting are provided below. Supplemental statements submitted by the Depository Library Council to the Public Printer, the library association advisors, and the National Commission on Libraries and Information Science (NCLIS) are provided in Attachments K, M, and N respectively.

MINUTES

**Meeting of the Working Group and Advisors, April 18, 1996
Dirksen Senate Office Building, Room 628**

Wayne Kelley, Superintendent of Documents and chair of the FDLP Study, opened the meeting at 2:08 p.m. by thanking those present for attending. Mr. Kelley then turned the floor over to Ms. Judy Russell, Director, Office of Electronic Information Dissemination Services and Chair of the FDLP Study working group.

Ms. Russell explained that the joint meeting had been arranged in response to requests from several advisors for an opportunity to meet with working group in order to share their views on the FDLP Strategic Plan and draft FDLP Study Report. She emphasized that the advisors would be presenting their preliminary comments on the draft report. The comment period for the FDLP Study would run through the end of May, by which time final comments would be expected for incorporation into the report to Congress. Ms. Russell announced that four advisors would be speaking at the meeting. These included representatives from the National Commission on Libraries and Information Science (NCLIS), the Depository Library Council to the Public Printer (DLC), the Information Industry Association (IIA) and the American Library Association (ALA). ALA would be speaking on behalf of itself and several other library associations.

As several of the advisors and working group members had not met previously, Mr. Kelley asked those in attendance to introduce themselves.

1. National Commission on Libraries and Information Science (NCLIS)

After introductions were completed, Ms. Russell announced the first speaker, Ms. Joan Challinor from the National Commission on Libraries and Information Science (NCLIS).

Ms. Challinor explained that she was speaking on behalf of Ms. Jeanne Hurley Simon, Chair of NCLIS, as Ms. Simon was unable to attend. She thanked the Government Printing Office for the opportunity to share some preliminary thoughts on the draft report. Ms. Challinor explained that NCLIS members had not yet had the opportunity to review the report thoroughly. Therefore, the comments she was providing were preliminary and would be followed with more detailed comments at a later date. Her

comments would address four areas: NCLIS's Principles of Public Information, the results of NCLIS's surveys of public libraries Internet involvement, the Commission's interest in assisting with the proposed FDLP technical implementation assistance, and NCLIS's general concerns about citizen access to Federal information.

Ms. Challinor provided a brief history of NCLIS, explaining that it was established as an independent agency in 1970. NCLIS advises both the President and the Congress on national and international policy relating to library and information science. It is a citizen's advisory body, and as such, it represents the interests of the people.

On July 28, 1990, NCLIS adopted its Principles of Public Information. These were included in the draft FDLP Study Report as Attachment E. The eight statements were adopted as an interrelated whole (no one of the principles more important than another) and were meant to serve as the underlying basis for the formulation of all future national information policies. NCLIS was glad to see these principles incorporated into the draft report because any actions taken as a result would need to balance Congressional concerns for cost efficiencies with these basic principles regarding the creation, access, use, and dissemination of Government information.

Ms. Challinor presented findings from two NCLIS studies on public library Internet connectivity. The first study, conducted in 1994, found that 20.9% of the nation's public libraries had Internet connections. This number had increased to 44.6% by the time of the second study in 1996. Ms. Challinor explained that any plan for the Federal Depository Library Program (FDLP) would have to take into account this rapid rate of change. In addition to the two studies on Internet connectivity, NCLIS also developed cost models for public library connections to the Internet in 1995. She added that a cost model for 1996 would be included in NCLIS's future comments as results from the 1996 NCLIS survey are analyzed and made available.

Ms. Challinor stressed that any plan for the FDLP should address the access needs of the general public and should be based on current, reliable, and consistent information about the capabilities of both Federal agencies and depository libraries, as well as information on the public's need for convenient and inexpensive access to electronic Government information. NCLIS believes that the need to gather such background information makes a two-year transition period insufficient. NCLIS believes a five-year transition period from 1996 to 2001 would be more reasonable.

NCLIS also believes that plans for the FDLP need to be made in a Government-wide context. This includes an evaluation of how well the public's need for access to public information is being addressed through the FDLP in relation to electronic services like *GPO Access*, the Library of Congress' THOMAS system, the Government Information Locator Service (GILS) and agencies' Internet gopher sites and World Wide Web (WWW) home pages. To this end, Ms. Challinor explained that NCLIS would be interested and willing to participate in collaborative efforts to study and analyze this issue.

The floor was then opened to questions for Ms. Challinor. Mr. Kelley inquired as to the type of study NCLIS believed was necessary. Ms. Challinor referred this question to the NCLIS Executive Director, Mr. Peter Young.

Mr. Young replied that the type of study that NCLIS had in mind was similar to the FFRDC study called for in the initial stages of the FDLP Study. Although some information from GPO's Biennial Survey has been included in the draft report, he stated that NCLIS has seen how rapidly this type of information

becomes outdated. The study would need to address such issues as the role depository libraries will play for the members of the public who cannot access Government information from their homes; what types of things depository libraries will need to meet the needs of users; and what the best use of funds would be (in reference to the \$500,000 in technology grants proposed in the draft report). Mr. Young also explained that the study should not be a one-time effort -- information must be gathered continually due to the rapid rate of change. He also stated the NCLIS sees a need for the identification of Government WWW sites in order to authenticate and preserve information made available through them. This will be critical to the goal of preserving history. Mr. Young finished by reiterating the need for a study to gather reliable data which could be used to set a reasonable, sensible direction for the program.

No further comments or questions for NCLIS were offered from the floor. Ms. Russell introduced the next speaker, Mr. Dan O'Mahony, outgoing chair of the Depository Library Council (DLC).

2. Depository Library Council to the Pubic Printer (DLC)

Mr. O'Mahony expressed the DLC's thanks for the opportunity to comment on the draft report and for the scheduling of the meeting around the Depository Library Conference which had just ended that morning. He explained that the Council was pleased that the comment period for the report had been continued and stated that final comments from the DLC on the report would be provided by the end of May. He stated that it was obvious that previous comments from the council had been incorporated and/or taken into account in the draft report. Mr. O'Mahony said that overall the DLC's reaction to the report was positive. He stated that the DLC was pleased to see that the report was written in the tone of the Senate report language with its emphasis on improving access to Government information. He informed those present that many of the issues in the report were discussed by depository librarians at the recent conference.

Mr. O'Mahony identified several things in the report that the DLC was particularly pleased with. These included the adoption of a more realistic 5-year time frame that would give patrons, depository libraries and GPO the chance for a successful transition. Mr. O'Mahony also told the group that the DLC has accepted the principles for Federal information, and the mission and goals for the FDLP, as stated in the draft report. The DLC was pleased that the report acknowledged that electronic dissemination provides an opportunity to expand the array of information available through the FDLP. The DLC believes that Government-wide cooperation is needed for a successful transition and recognizes that this will entail changes to Title 44 of the U.S. Code. The Council also was pleased to see that the draft report recognized in concept the continued development of the traditional functions of the program, particularly the cataloging and public service functions of depository libraries.

Mr. O'Mahony shared with the group some of the concerns that remain for both the DLC and depository librarians. One of the primary concerns is that the transition should support and enhance public access, without creating new barriers to it. This will necessitate the adoption of a standardized, coordinated bibliographic system to assist in the location of Government information in depository libraries regardless of format. There also is deep concern in the depository community regarding whether the

public will be able to access information in the future. A standardized method for providing permanent access to Government information is needed and the DLC believes that the FDLP needs to be systematically notified when the location of files or information is changed.

The DLC also is concerned with the appropriateness of formats and their effect on public use of information. Mr. O'Mahony explained that a number of stories were shared at the depository conference concerning format problems encountered with downloaded Government information files. Depository librarians also are concerned with the increasing number of restrictions placed on Government information (i.e. user or access fees) and the potential transitional costs to the libraries for equipment, staff and training.

In conclusion, Mr. O'Mahony stated that the DLC strongly supported the technological implementation assistance proposed in the draft report. He explained that depository librarians are excited about the possibilities for the transition for a more electronic FDLP, but also are cautious due to concerns about the potential impact of the transition on end users.

There were no questions for Mr. O'Mahony from the floor. Ms. Russell then introduced Mr. Dan Duncan, the Vice President of Government Relations for the Information Industry Association (IIA).

3. Information Industry Association (IIA)

Mr. Duncan commended Congress for mandating, and GPO for undertaking, the FDLP Study and stated that the IIA felt that many important issues were presented in the draft report. Mr. Duncan stated that the IIA has long supported the FDLP and GPO as the repository for Government information. However, he cautioned that GPO should not attempt to be all things to all people.

He explained that IIA is an association representing more than 550 companies involved in the wide variety of services related to information dissemination. For Government information, the private sector plays an integral role in the dissemination process by disseminating information to the public after adding value to it. IIA members are also part of the public who are served by, and benefit from, the availability of Government information as are their customers.

The IIA is pleased that the draft report has given consideration to the principles expressed in the Paperwork Reduction Act (PRA), especially the inclusion of principles recognizing the importance of no copyright-like restrictions, no exclusive distribution arrangements and the guarantee of timely and equitable access to underlying data. However, the IIA is concerned that GPO is trying to do too much. The IIA believes that in the report GPO is proposing a shift from its traditional role as a facilitator to the new role of primary publisher. This shift would represent a break from GPO's mission and historical model and would lead, IIA believes, to unnecessary expenditures. Mr. Duncan stated that the IIA also views such a change as an attempt to further centralize information dissemination at a time when Congress is calling for increased decentralization.

Mr. Duncan raised the issue of standardization as an example of how IIA believes GPO is trying to do too much. He explained that according to the draft report, GPO would reformat information to meet needs beyond those which the publishing agency sees necessary for its constituencies. The IIA feels that format decisions should be made by the agencies and not by GPO. Mr. Duncan also explained that IIA felt that GPO's belief that standardization of Government information would help the private sector is unfounded -- the private sector would find it more useful to have access to underlying data. Instead of the Government developing standards, which are slow to be accepted and to change, the IIA would advocate that this process should take place in the private sector, driven by the marketplace. GPO should adopt a lowest common denominator policy whereby information would be distributed in the format which maximizes its accessibility, not necessarily its usefulness. IIA does not feel GPO is in a position to assume

the level of control it would need to reformat or standardize data to meet public needs. In addition, IIA feels that its implementation of Government-wide application of standards would be impossible and that instead, the Government should continue to use commercial off-the-shelf software for its publishing.

Mr. Duncan explained that the IIA also would be concerned about any attempts that might be made to authenticate Government information. This, he stated, would drive users to the original Government document and would harm private sector publishers. Authentication efforts also would conflict with standardization, as the authenticity of information could not be guaranteed if GPO reformatted agency data. IIA feels that issues concerning authenticity could be addressed better through the establishment of Chief Information Officers at each Federal agency as outlined in the PRA.

The IIA does not object to the technology grants proposed in the draft report. If Congress decides to fund this activity, the IIA recommends that depository libraries be allowed to decide how best to use these funds. IIA does not believe GPO should dictate to the libraries how to spend the money. In conclusion, Mr. Duncan reiterated the IIA viewpoint that GPO should not attempt to expand its role beyond its traditional mission.

There were no questions from the floor for Mr. Duncan. Ms. Russell introduced the final speaker, Ms. Carol Henderson, Director of the Washington Office of the American Library Association (ALA).

4. American Library Association (ALA) on Behalf of a Group of Library Associations

Ms. Henderson explained that several library associations had worked together on the comments she would be providing, including the Association for Research Libraries (ARL), the American Association of Law Libraries (AALL), the Medical Library Association (MLA), the Special Libraries Association (SLA) and the Government Document Roundtable of ALA (GODORT). She indicated that her oral statements would be followed later by written comments on the draft FDLP Study Report and final task reports, also prepared jointly with the other library associations.

Ms. Henderson noted that like the DLC, the library associations felt that GPO had been responsive to their earlier comments in the drafting of the report. They felt that the FDLP Study process was very participatory and that all those involved with the FDLP had been included. She explained that the library associations were pleased with the more realistic time frame proposed in the draft report for the transition to electronic dissemination. Ms. Henderson also stated that the associations were glad to see that the FDLP Study Report recognized the continued viability of a variety of formats for the FDLP. The library associations feel that the report recognizes that redundancy is sometimes necessary and that it can, in certain circumstances, foster innovation and guarantee a variety of sources for information. Ms. Henderson stated that the associations support a centralized or coordinated bibliographic system for Government information.

The library associations have several continuing concerns. As Ms. Henderson stated, the associations do not feel that the findings of the FDLP Study were based on substantive data. In this regard, they support approval of the capabilities study to provide technical implementation assistance as proposed in the draft report. Ms. Henderson also expressed their concern regarding long term, permanent access to Government information. In the draft report, GPO has proposed taking on major responsibilities in this area, but she noted that hard data on how this would be done was missing. The associations also

are concerned about continued no fee access to Government information. This is a government responsibility and a key principle of the FDLP. Although the draft report indicates that GPO is willing to purchase depository access to other agencies' fee-based electronic services, there is no assurance that such information will be available. Availability of the information is entirely dependent on sufficient appropriations for the program, not on policy or principles. Similarly, copyright-like restrictions placed on Government information are viewed by the associations as a problem for libraries and users and affects both short and long term public access.

One area that the associations did not feel was adequately addressed in the draft report was the changing role of regional vs. selective depository libraries. The role of regional depository libraries as seen in the draft report is diminished, while the role of selective libraries is expanded. Selective depository libraries will have to be responsible for access to all Government information. The associations feel that some selective libraries might not have the ability to provide adequate service for all Government information products. In regards to standardization, the associations feel that this issue should be resolved through ongoing efforts by agencies, GPO and the information industry to develop basic criteria to evaluate formats for dissemination.

Ms. Henderson also expressed the associations' concerns that additional responsibilities placed on depository libraries for access to electronic information has the potential to increase the burden on libraries without providing any cost benefit to the Government. She pointed out that the report referred to the cost balance for the current program (in which depository libraries already carry a disproportionate share) and cautioned that changes to the program would have to take this balance into consideration to prevent further cost shifting to libraries. In closing, Ms. Henderson noted that in order for the FDLP to work well in an electronic environment it would need "teeth" and "incentives" for agency participation and an infrastructure that supported participation by all three branches of Government.

There were no questions for Ms. Henderson from those present. Ms. Russell then asked if there were any further comments or questions.

Other Comments

Ms. Jan Fryer, the new chair of the Depository Library Council, was asked to comment on some of the concerns and issues discussed at the depository conference. She mentioned the concern about the ability to view and download certain types of Government information to an advanced system or printer that some libraries may not have the funds to acquire. In addition, some libraries may only be able to provide a few workstations. This may mean that public patrons will have to wait to access information if terminals are tied up by other patrons. Although the problem has always existed -- a patron may be using a book off the shelf that another patron needs -- the situation might be exacerbated in an electronic environment. Finally, she explained that some libraries that provide assistance for specific types of information, i.e. an agricultural technical library, may not be able, and should not be expected, to provide "expert" reference service for the full range of Government information products, but they can provide access to that information. Right now some libraries select CD-ROM titles that they cannot fully support, but the information is available for a knowledgeable user to access in the library or by borrowing the CD-ROM. The fall DLC meeting will focus on service expectations for selective depository libraries.

As there were no further comments or questions from the floor, Mr. Kelley closed the meeting by thanking the speakers and noting that, although open discussion may never lead to total agreement, at least it provides an opportunity to see the different perspectives on various issues. With that, the meeting

was adjourned at 3:12 p.m. and those in attendance were invited to remain for informal discussion.

Attendees

Working Group Members and Staff:

Government Printing Office

Mr. Wayne Kelley, Superintendent of Documents (Chair of Study)
Mr. Bill Guy, Office of Budget
Mr. Jerry Hammond, Congressional Printing Management Division
Ms. Judy Russell, Electronic Information Dissemination Services
Mr. Jay Young, Library Programs Service
Mr. Ric Davis, Electronic Transition Staff
Ms. Maggie Farrell, Electronic Transition Staff
Ms. Wendy Frederick, Documents Technical Support Group

Congress

Mr. George Cartagena, Joint Committee on Printing
Mr. John Chambers, Joint Committee on Printing
Ms. Kennie Gill, Senate Committee on Rules and Administration
Ms. Linda Kemp, Joint Committee on Printing
Mr. David McMillen, House Committee on Government Reform and Oversight
Mr. David Plocher, Senate Committee on Governmental Affairs
Ms. Joy Wilson, Senate Committee on Rules and Administration

Administrative Office of the U.S. Courts

Mr. Gary Bowden

Depository Library Community

Ms. Julia Wallace, University of Minnesota

Library of Congress, Congressional Research Service

Ms. Jane Bortnick Griffith, Science Policy Research Division

National Archives and Records Administration

Mr. Tom Brown, Center for Electronic Records
Ms. Fynnette Eaton, Center for Electronic Records
Ms. Anita Pintado, Center for Electronic Records

Office of Management and Budget

Mr. Bruce McConnell, Office of Information and Regulatory Affairs
Mr. Glenn Schlarman, Office of Information and Regulatory Affairs

Advisors and Their Associates:

CENDI

Ms. Elizabeth Buffum, Department of Energy, Office of Scientific and Technical Information

Depository Library Council/Depository Community

Mr. Dan O'Mahony, Brown University

Ms. Jan Fryer, Iowa State University

Mr. Duncan Aldrich, University of Nevada, Reno

Information Industry Association

Mr. Dan Duncan

Mr. Peyton Neal, PRN Associates

Mr. Eric Massant, Congressional Information Service and LEXIS/NEXIS

Ms. Alden Schacher

Library Associations

Ms. Prudence Adler, Association of Research Libraries

Ms. Mary Alice Baish, American Association of Law Libraries

Ms. Roxanne Fulcher, Special Libraries Association

Ms. Diane Garner, American Library Association/GODORT

Ms. Anne Heanue, American Library Association

Ms. Carol Henderson, American Library Association

Ms. Lynne Siemers, Medical Library Association

National Commission on Libraries and Information Science (NCLIS)

Ms. Joan Challinor

Mr. Peter Young

Attachment K:

Comments from the Depository Library Council to the Public Printer

Comments from the Depository Library Council to the Public Printer

Statement of April 18, 1996

On April 18, 1996, there was a meeting of the FDLP Study working group and advisors in order to provide the advisors with an opportunity to present their preliminary reactions to the draft Report to Congress. The minutes of the meeting are provided as Attachment J. This is the supplemental statement submitted by the Depository Library Council to the Public Printer (DLC).

**Statement of Daniel P. O'Mahony, Chair
Depository Library Council**

On behalf of the Depository Library Council, I would like to thank the members of the Working Group for this opportunity to provide you with direct input and our initial reactions to the Draft Report to Congress. We're especially grateful for your scheduling this meeting at this time during the week of the Spring Council Meeting and Federal Depository Conference when many of us are here in Washington and could meet with you.

I also want to acknowledge that the report was issued in "draft" form, and express our appreciation for the opportunity to comment on the report at this stage. In addition to our remarks today, the Depository Library Council will be submitting a more complete written response to the Draft Report within the 60-day comment period.

Further, I'd like to commend the Working Group, not only for the opportunities we've had throughout the study process to provide input, but also for your listening to what we've said -- it's obvious that at each successive step in the process that the comments from the depository library community have been seriously considered by the Group, and the Draft Report reflects that.

I think much of the initial reaction of members of the Depository Library Council to the Draft Report was quite positive. The report, I think, reflects the original tone of the Senate report that originally directed that the study be conducted -- namely, it tries to take advantage of new information technologies to enhance and improve public access to government information.

As a few people have mentioned already, many of us at this meeting this afternoon are, literally, coming directly from the GPO Federal Depository Library Conference and Spring Meeting of the Depository Library Council. Approximately 600 depository librarians from all over the country gathered here in Washington this week for these meetings, and for the better part of the past three-and-one-half days, we have been discussing the impact of this transition on the citizens in our local communities and on our services for government information.

There is a lot in the Draft Report to Congress that depository librarians are pleased with -- the following is not a comprehensive list, but briefly:

--Depository librarians support a time frame that gives our libraries, our patrons, GPO, and government agencies, a realistic chance for preparing for and adapting to the transition without major detriment to our services for government information;

--The Depository Library Council recommended the adoption of the Principles of Federal Government Information and the Mission and Goals for the FDLP, as stated in the Draft Report;

--Depository librarians are excited about the potential for expanding and enhancing the array of government information available to the public, as described in the Draft Report;

--Depository librarians were pleased to see a recognition of the need for government-wide coordination for making federal information publicly accessible; and

--Depository librarians agree that changes to Title 44 are necessary to facilitate the transition and ensure the statutory authority of the program.

Depository librarians at the conference were also pleased to see that the report stresses the traditional and ongoing services and value of the Federal Depository Library Program (FDLP), and extends these services into the electronic environment -- specifically, identifying and cataloging government information so people can find it, retaining and preserving government information so people can continue to have access to it in the future, and providing public services for government information that help people effectively utilize this information to meet their needs.

Librarians this past week, however, also expressed their concerns that this transition should support and enhance public access to government information, and it should not introduce new technological, financial, or other barriers to the public.

Much of the discussion this week focused on the need for coordinated and standardized bibliographic access -- providing the public with information that enables them to identify and locate electronic publications. In a decentralized and highly volatile electronic environment, this cataloging or locator information is absolutely critical, but it is also much more complicated to achieve and to maintain. It is imperative that GPO work closely with agencies from all branches of government to develop coordinated, coherent, and consistent means for identifying, locating, and describing government information for access by the public.

Closely related to this is the concern of ensuring that the public will be able to get to these electronic publications in the future. And sometimes that "future" is just a few days or weeks away. Virtually every librarian at the conference could relate firsthand to stories about user frustrations with the Internet -- users from all types of libraries who were exasperated because they couldn't find files that had changed locations or disappeared altogether. As agencies' World Wide Web and other computer sites evolve and the locations of electronic files are changed, there needs to be a systematic and coordinated mechanism within the FDLP to identify and track these changes. Just as important, there must be an organized way to ensure that these electronic publications will be retained and preserved so that users can have continued and reliable access to this information in the future.

Librarians at the conference this week also described the present limitations of the technical infrastructure and the difficulties users encounter when trying to use electronic files. A number of librarians told various "horror stories" about their experiences in trying to download large files for patrons. In many cases, people have to spend unreasonable amounts of time or perform a complex sequence of steps to access, obtain, and format the file(s) for viewing. One librarian on the west coast, anxious to get a copy of the Draft Report to Congress on the GPO Study, had to spend more than three hours downloading, formatting, and printing the appropriate files in order to obtain this approximately 150-page report. [This librarian was not, by the way, from a small, poorly connected and electronically challenged library, but from a large academic research university with access to high-end equipment and direct Internet connections.] Given this experience, librarians are not looking forward to the prospect of potentially having to download, for example, a congressional hearing of several hundred pages or a 1,600 page bill on health care reform. Day in and day out, some of users' most frustrating experiences occur when the format that the publication is available in is not the most appropriate for the content of the information or the use the patron or the publishing agency intended for it.

Many of the depository librarians here this week also were very concerned about restrictions being placed on electronic government information, such as user or access fees and exclusive or copyright-like restrictions. Increasingly we see examples -- such as the U.S. Industrial Outlook, Tide Tables, Foreign Broadcast Information Service reports -- of information that as it migrates to electronic format becomes less accessible to the public due to fee-based or other restrictive agreements.

An underlying issue to many of these concerns, obviously, is cost -- costs in terms of access, equipment, staff, support, training, and other resources -- not only to libraries but to users as well. The Depository Library Council and depository librarians have serious concerns about the costs of a more electronic FDLP, as well as the technical capabilities of libraries, agencies, and other partners in the program to take advantage of new technologies. We strongly support the Technical Implementation Analysis requested in the Draft Report's Strategic Plan in order to gather the critical data that is needed to assist and evaluate the implementation of the transition.

So we have a number of concerns about the transition, but depository librarians are indeed excited about the potential for a more electronic FDLP for enhancing public access to government information, because, probably more than most, we understand and appreciate the tremendous advantages of some kinds of electronic information. Our cautiousness is borne out of our concern of the impact this transition is likely to have on the users of government information whom we serve everyday.

On behalf of the Depository Library Council, I would like to again thank the members of the Working Group for this opportunity to share with you our initial impressions of the Draft Report to Congress, and we look forward to continuing the cooperative relationship developed throughout this study process, and the opportunities for continued input and communication as the transition is implemented. Again, the Depository Library Council will be submitting our more detailed written response to the Draft Report to the Working Group by the end of May.

**Comments of the Depository Library Council Regarding the
Draft Report to Congress
May 30, 1996**

EXECUTIVE SUMMARY

The Depository Library Council appreciates the opportunity to comment on the Draft Report to Congress as well as our ongoing participation throughout the study process as a member of the Advisory Group to the Study Executive Working Group. The comments below were derived from the discussions at the Spring 1996 Council meeting in Arlington, VA, and the Fall 1995 Council meeting in Memphis, TN. Attached to these comments are the Spring 1996 Council recommendations to the Public Printer.

In summary, the Depository Library Council:

- supports the increased expansion and utilization of electronic technologies to enhance public access to government information;
- recommends the adoption of the "Principles of Federal Government Information" and the "Mission and Goals for the Federal Depository Library Program," as articulated in the Draft Report;
- stresses the need for a reasonable time frame (5-7 years) to successfully implement the transition to a more electronic FDLP; supports the Technical Implementation Analysis recommended in the Draft Report;
- affirms the need for government-wide coordination of library- related services through the Superintendent of Documents to facilitate public access to government information, including cataloging, preserving, and providing effective public services for government information in all formats;
- recommends the development of a strong and comprehensive support component (including training, standardized software, documentation, etc.) in the FDLP to assist libraries and users in accessing electronic government information;
- reaffirms the need for a variety of publication media and the viability of print as a cost-effective format for disseminating government information;
- agrees that changes to U.S.C. Title 44 are necessary to facilitate the transition, and that new incentives and compliance measures are needed to ensure government-wide participation and full access to government information for the public;
- supports GPO's request for stable funding in order to effect a smooth and successful transition to a more electronic FDLP; and
- urges that the migration to a more electronic FDLP should not erect new barriers for the public to access government information.

Introduction

On March 29, 1996, the Government Printing Office (GPO) released the Draft Report to Congress on the Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program. This study was required by Public Law 104-53, Legislative Branch Appropriations Act, 1996. This Draft Report was released by GPO in order to gather additional feedback and input before issuing the final report.

The Depository Library Council has participated in the study as a member organization of the Advisory Group to the Study Executive Working Group. Throughout the study process, the Working Group has solicited input and encouraged comments from the library community and others. A number of the comments offered by the Depository Library Council and other organizations already have been incorporated into various parts of the report as well as earlier and related documents issued throughout the study process. The Council wishes to express its appreciation for the opportunity to participate in the study process. Further, we commend the Study Working Group for including representatives from the depository library community on the Working Group and the Advisory Group, and for carefully considering the input from the depository library community throughout the study process.

The comments below of the Depository Library Council were developed with input gathered at its Fall 1995 meeting in Memphis, TN (approximately 150 depository librarians in attendance) and its Spring 1996 meeting in Arlington, VA (approximately 550 depository librarians in attendance). Attached to these comments are the Spring 1996 recommendations of Council to the Public Printer.⁵

Response to the GPO Draft Report to Congress

The Draft Report to Congress is a forward-looking and ambitious outline for the future of the Federal Depository Library Program (FDLP). The Draft Report recognizes the ever-increasing use of computer-based technology to produce, distribute, access, and utilize government information. The depository library community is excited about the potential for expanding and enhancing the array of government information available to the public.

In the Draft Report, GPO proposes a logical evolution for the agency's focus of operations, shifting away from primarily production and distribution of physical items and moving more toward support services for accessing and using electronic information sources. Council supports the overall direction of the Draft Report and the important goal of utilizing electronic technologies to enhance and improve public access to government information. Council recommends the adoption of the "Principles of Federal Government Information" and the "Mission and Goals for the FDLP," as stated in the Draft Report.

The Depository Library Council believes that the timeline for the transition to a more electronic FDLP must allow users, libraries, and federal agencies a realistic chance to prepare for and adapt to these new technologies without major detriment to public access to government information. Council supports the 5-7 year initial transition period outlined in the Draft Report. Further, Council suggests that the ongoing transition to a more electronic system of access should be viewed as an ongoing process rather than a specific objective that can be accomplished in a pre-defined period of time. Rapid changes and developments in information technologies and dynamic user needs and demands will require a continuous assessment and evolution of the FDLP in order for the public and the program to best take advantage of electronic information. We recommend that GPO continue to work with other stakeholders to assess the

⁵The recommendations of the Depository Library Council begin on page 202.

capabilities of program partners and their progress toward implementing and expanding access to electronic government information. Furthermore, Council urges Congress to provide adequate and stable funding throughout the transition period in order to effect a smooth and successful migration to a more electronic FDLP.

Council also believes that the transition to a more electronic system must be based on objective data in order to accurately determine cost-effective and feasible alternatives for providing public access to government information through the FDLP. Council supports the Technical Implementation Analysis outlined in the Draft Report and urges GPO to continue to pursue the means for conducting this analysis.

In the highly decentralized electronic environment, Council believes that there is an increasing need for a centrally coordinated, government-wide program to facilitate public access to federal government information, and reaffirms the role of the Superintendent of Documents in fulfilling this responsibility. One of the strengths of the Draft Report is its recognition that there is a need for government-wide coordination of the library-related activities involved in making information available to the public. Council was pleased to see that the Draft Report stresses the traditional and ongoing services and value of the FDLP, and extends these services into the electronic environment. Specifically, these areas include identifying and cataloging government information so people can find it, retaining and preserving government information so people can continue to have access to it in the future, and providing public services for government information that enable people to effectively utilize this information to meet their needs.

Bibliographic Access

Council supports GPO's continued commitment to providing coordinated bibliographic access to federal information and encourages GPO to take a leadership role in developing effective strategies for cataloging electronic sources of government information. Libraries and users rely upon GPO's cataloging records to identify and locate government publications, and this need will only increase in a dynamic electronic environment. Standardized records that describe the information content and that direct users to corresponding print and electronic versions of the information are most desirable.

Council is particularly concerned about retaining bibliographic access to the historical record as electronic information sources are moved to new locations or transferred to different agencies (e.g., NARA). Without ongoing and coordinated procedures for ensuring bibliographic control, the location and very existence of specific sources may be lost, and thus the information under-utilized, resulting in a waste of taxpayers' money and an increase in public frustration in locating government information. Council also sees the necessity for maintaining a system of uniquely identifying each electronic resource (i.e., the Superintendent of Documents Classification System). Since online locations (i.e., Universal Resource Locators or URLs) can change frequently, it is desirable to have a unique identifier, similar to an ISBN (International Standard Book Number) or ISSN (International Standard Serial Number) in order to verify and track an information resource.

Council encourages GPO to take a leadership role in working with the library and federal publishing communities to develop standardized cataloging policies and practices that address these issues. It is imperative that GPO work closely with agencies from all branches of government to develop coordinated, coherent, and consistent means for identifying, locating, and describing government information for access by the public. Council is concerned because, although the Draft Report recognizes the value of the FDLP as a central coordinating agency, a legislative proposal advanced by the Office of Management and Budget (OMB) does not address the issue of how the cataloging function would be achieved without GPO's

presence in the publication/dissemination loop. We recommend that GPO seek common ground with OMB in order to ensure that federal information policies and practices provide for this important service.

Retention, Preservation, and Long-term Access

The public's needs for government information are diverse and oftentimes require the identification and use of historical information. This need traditionally has been met by the historical collections maintained in geographically-dispersed depository libraries. Council strongly believes that the public's long-term ability to access government information must be maintained throughout the migration to electronic formats, and that the necessary legislative and administrative safeguards must be established to ensure the preservation and long-term access to electronic government information.

Government-wide policies and procedures must be developed that systematically identify and retain electronic government publications for continued access and use by the public. Current publishing practices via the Internet are inconsistent and unstable as information appears and disappears seemingly at whim. Users' frustrations in accessing electronic information are exacerbated by frequently changing Internet addresses. Moreover, information is lost as agencies update or replace files with subsequent or the most current data. Coordinated, government-wide mechanisms are necessary to ensure that electronic government information is retained and preserved for ongoing public access and use. Further, the federal government must investigate ways to secure the integrity of the information published electronically so that users can be assured of the accuracy and reliability of the data.

It is vital that procedures be established to guarantee the permanent availability of important public information in usable electronic formats. Currently, many of these files are referred to the National Archives and Records Administration (NARA) for permanent retention. However, NARA does not retain electronic information for which there is no source documentation. Furthermore, NARA converts information data files to the lowest common source format, such as ASCII, and NARA does not retain distinct software interfaces for electronic databases. This oftentimes renders these files unusable and virtually worthless to researchers in the future. Policies and procedures need to be developed through a concerted effort with NARA to guarantee that electronic government information remains readily accessible and usable to the public.

Council applauds GPO's recognition of the responsibility of the federal government to preserve and provide long-term access to electronic government information. Council is concerned, however, that the loss of redundant sites for housing and servicing government information sources will impair both long-term and current public access to these sources. One of the proven strengths of the FDLP has been its success in ensuring long-term access to government publications for the public at large through its Regional system of geographically-dispersed libraries. This cooperative system guarantees that adequate copies of government publications will be available for future users. Since these collections reside in and are serviced by various libraries of all types, they are less susceptible to the possible vicissitudes in political or budgetary support of any single authority, as well as the numerous natural and physical disasters that can strike anywhere. In the electronic environment, a similar system of "mirror" or remote sites will be required to ensure continued, flexible, and reliable access to electronic government information. The federal government furloughs of Fall 1995 are an excellent example of how single or exclusive sources of electronic information can unexpectedly shut down and leave users cut off from important government information. Council encourages GPO to explore partnerships or cooperative agreements with libraries, federal and state agencies, regional networks and consortia, research institutions, and other public service providers, to preserve and ensure long-term, no-fee public access to

electronic government information. In addition, Council believes that the wide distribution of physical electronic products (e.g., CD-ROMs) enhances current and future public access by providing libraries and users with local access to electronic government information sources.

Service to the Public

Federal depository libraries have worked in partnership with GPO and federal agencies for over a century to provide the public with no-fee access to government information in all formats. No other sector of the information landscape is set up to deal with the nation's government information needs at the local community level. While each federal agency has its own specific constituency that it serves, generally these groups are very narrowly focused, and most times the agency is able to supply only the most current data or information. The FDLP is the primary means for the general public to gain no-fee access to all types of government information.

The transition to a more electronic FDLP will require libraries to assume new roles in this partnership and reallocate local resources in order to deliver effective services to the public. The time frame for this transition must allow libraries sufficient preparation time for planning, acquiring and installing equipment, training staff, and developing services for a predominantly electronic environment.

Depository libraries and federal publishing agencies have made tremendous strides in recent years to make electronic government information accessible to the public at large. Nonetheless, the necessary technical infrastructure is not yet in place to reliably and consistently support a predominantly electronic FDLP. Users continue to face technical limitations in using the Internet and experience a variety of difficulties when trying to access and use electronic files. In many cases, people have had to spend unreasonable amounts of time to perform complex sequences of tasks in order to access, download, and format a file simply to be able to view the information.

As GPO plans for a more electronic FDLP, it is imperative that it develop a comprehensive and reliable support infrastructure to assist users and libraries in accessing and utilizing electronic government information. This should include providing training for librarians and users; supplying well- conceived online and off-line tutorials; facilitating the development of standardized software applications and user interfaces; developing logical and well-organized documentation and user guides; and coordinating other services that facilitate the use of electronic government information products.

This transition will have a significant financial impact on depository libraries. Council shares the concern of depository librarians that additional costs to libraries and users associated with managing, accessing, retrieving, downloading, and printing electronic information will hinder public access. Again, Council recommends that a system-wide cost analysis of the effects of electronic dissemination, and a survey of the technological capabilities of all program partners (agencies, libraries, and the public), are essential in order to gather the fundamental data necessary for planning and implementing a successful transition to a more electronic FDLP.

It is imperative that, throughout the transition and implementation of any new system, the public retain no-fee access to government information in all formats through the network of depository libraries. Council supports the legislative proposals in the Draft Report, as well as any resulting inter-agency agreements, that uphold and facilitate no-fee public access by providing electronic government information at no charge to depository libraries. The primary objective should continue to be to improve public access to government information in ways that are meaningful and equitable for users and economical and

cost-efficient for taxpayers and the system.

Appropriate Formats and the Viability of Print

Council is pleased that the Draft Report recognizes the ongoing need for a variety of publication formats, including paper, in order to meet the government information needs of the public. Simply stated, not all information is appropriate for electronic format only. Council firmly believes that the distribution format for information products must be appropriate to the information's content, use, and intended audience.

Council is concerned about the effective cost-shift to users created by a predominantly electronic system. The format preferred by users for communicating textual information continues to be print on paper. Information having important historical value, publications meant to be read in their entirety or in context (like most books or journals or congressional hearings), and publications with a significant amount of graphic or photo images, are all excellent candidates for print. For these materials, centralized printing and distribution remains the most efficient and cost-effective model for the system, for libraries, for the environment, and for users. A dramatic shift to electronic-only dissemination would likely limit public access to only those with the ability to pay for printing, copying, or buying government publications.

Program Compliance

Council is concerned about the increasing instances of restrictions placed on government information that inhibit public access. A number of factors -- including conflicting legislative directives and cost-recovery mandates, publishing contracts that circumvent the FDLP, exclusive agreements that provide copyright- like restrictions, inadequate appropriations for public information dissemination, and growing pressures to generate revenues from information products -- work to effectively deny the public access to government information.

When government information falls outside the FDLP, it becomes much more difficult for the public to find it, to access it, and to use it. There is no guarantee that the information will be cataloged or preserved, and fees and other barriers may further restrict public access and limit its usefulness. Council supports in concept the definitions and statutory changes to U.S.C. Title 44 proposed in Task 6 of the Draft Report (Attachment D-5: Evaluation of Current Laws Governing the FDLP and Recommendation of Legislative Changes). Moreover, Council urges GPO to work with Congress, OMB, and federal publishing agencies to develop positive incentives and effective enforcement measures to ensure public access to government information through the FDLP.

Conclusion

The Depository Library Council and the depository library community have long advocated increased access to and utilization of government information in electronic format. Depository librarians are excited about the potential for a more electronic FDLP for enhancing public access to government information because, probably more than most, they understand and appreciate the tremendous advantages of electronic technologies. As Congress, GPO, federal agencies, libraries, and users plan for a more electronic system for accessing government information, we should build upon the many strengths and successes of the FDLP, and we must be careful not to introduce new technological, financial, or other barriers that restrict public access to government information.

Daniel P. O'Mahony
Government Documents Coordinator
Brown University Library - Box A
Providence, RI 02912

[Recommendations from the Spring 1996 meeting of the Depository Library Council are included below.]

**RECOMMENDATIONS FROM THE
DEPOSITORY LIBRARY COUNCIL TO THE PUBLIC PRINTER
Spring 1996**

Submitted May 24, 1996

GPO STUDY ISSUES

1. Council commends the Government Printing Office for completing the Congressionally directed Study to Identify Measures for a Successful Transition to a More Electronic Federal Depository Library Program, for including representatives from the library community on the Study Executive Working Group and Advisory Group, and for carefully considering the input of depository libraries throughout the study process.
2. Council supports the "Principles for Federal Government Information" and the "Missions and Goals for the FDLP," as stated in the draft Report to Congress, and Council recommends the adoption of these statements for the FDLP.
3. Council commends GPO for adopting a five-year time frame for the initial transition to a more electronic FDLP, and recommends that GPO continue to work with the library community, federal agencies, and other appropriate parties, to assess the capabilities of program partners, and their progress towards implementing and expanding access to electronic government information.
4. Council recommends that the Public Printer seek common ground with the Office of Management and Budget (OMB) on federal policy that would achieve an appropriate degree of government-wide coherence in public information as has traditionally been accomplished through centralized cataloging.

RATIONALE: Given the huge volume and diversity of information produced and/or disseminated by the federal government, descriptive cataloging which continues to allow libraries and other information providers to incorporate electronic resources into existing location mechanisms is of fundamental importance for public access. This is an even greater imperative as more information moves toward intangible electronic products. Yet, it does not seem that the OMB legislative proposal specifically addresses how the cataloging function would be achieved without GPO in the publishing loop. Council is hopeful that a constructive discussion with OMB on this specific topic of cataloging would provide important insights on all sides of the issue.

5. Council commends GPO for its aggressive and creative proposals for expanding access to

government information and providing access to previously fugitive government information.

6. Council supports the Technical Implementation Analysis outlined in the draft Report to Congress and urges GPO to continue to pursue the means for conducting this analysis.

RATIONALE: Council remains concerned that the transition to a more electronic Federal Depository Library Program continues to proceed without fundamental data necessary to determine the most cost-effective and feasible alternatives for providing access to electronic government information to the public through the FDLP. Data is needed for analysis: from publishers in all three branches of government to determine their expected current and long-term electronic publishing plans; and from depository libraries to determine their present and near-term technological capabilities, including equipment, skills of staff, and electronic technologies best suited to meet user needs. Data is also needed to address issues raised in the Technical Implementation Assistance (Appendix A) section of the draft Report to Congress.

REVISION OF U.S.C. TITLE 44

1. Council supports in concept the definitions of government information, government information product, and government electronic information services as articulated in the draft Report to Congress. Council recommends that GPO continue to work with Congress and the library community to identify and recommend legislative changes necessary for a successful transition to a more electronic FDLP.

RATIONALE: The definitions make useful distinctions which should be incorporated in revisions to Title 44 of the United States Code. They are not technology-specific and will permit the statutory definitions to continue to provide direction even as technological changes occur in information formats. GPO has the experience, broad perspective, and involvement with the user community that are essential for productive revision of Title 44 to ensure effective access to government information.

2. Council affirms the role of the Superintendent of Documents in the government-wide coordination of public access to government information, including the preservation, retention, and long-term access of government information, as articulated in the draft Report to the Congress.

RATIONALE: Historically, GPO has provided the central coordinating authority for distribution of print products and has recently moved into a new role as a provider of online information services. The Superintendent of Documents (SOD) has a proven history of strong and effective involvement with its user community. The SOD has provided bibliographic access and a mechanism for long-term access to federal government information for more than one-hundred years. No other federal agency has the experience and commitment to broad public access that the SOD can provide. Throughout this period of rapid transition and changing technologies, the guidance and assistance of the Superintendent of Documents is critical in order to meet the challenge of maintaining public access to government information.

APPROPRIATE FORMATS

1. Council commends GPO for a timely test of the accuracy, feasibility, and cost implications of scanning paper publications for electronic dissemination to depositories. The depository library community is concerned about GPO's conclusion that graphic-intensive publications of less than thirty pages in length are candidates for electronic conversion. Council notes that these publications are often intended for public dissemination for informational purposes by the agency. These titles may not be suitable for their intended audience in electronic format and may present printing problems for depository libraries and users.

2. Council reaffirms the principle that paper is a viable format for disseminating government information. When choosing publications for scanning, Council reminds GPO that a basic assumption stated in the Strategic Plan is that paper and microfiche will continue to be distributed when appropriate for user needs.

RATIONALE: Council remains concerned that, while GPO and the other participants of the study process have formally recognized the importance of paper as an appropriate format, the short term economic benefit of electronic conversion will overshadow this principle. Council, as an advisory body to the Public Printer, wishes to keep the issue of appropriate information media squarely before GPO, and recommends that this principle be reinforced during any deliberations and plans regarding dissemination formats.

BIBLIOGRAPHIC ACCESS ISSUES

1. Council applauds the efforts of the Electronic Transition Team and the Cataloging Branch to develop diverse and creative approaches toward providing bibliographic access to government information in electronic formats. However, Council recommends that GPO provide a mechanism that will search these multiple directories simultaneously. Alternatively, Council suggests merging the files of the Pathway List of Titles and the Bibliographic Records Project so that those items residing at GPO sites will be searched along with those items residing at other federal government agency sites.

RATIONALE: Council sees significant advantages in providing for such simultaneous searching capabilities. As the amount of government information on the Internet increases, it will be increasingly difficult to track or separate, for searching purposes, information residing at GPO sites and government information residing elsewhere. There are potential advantages for GPO in this approach as well. Since the Pathway List of Titles and the Bibliographic Records Project both provide title-level access to electronic government information products, the efforts directed toward the two projects could be consolidated to create one unified title index.

2. Council recommends that GPO develop and incorporate, within its suite of Pathway Government Electronic Products, records that communicate "continues" and "continued by" notes, as well as previous format statements. Council further recommends that depository libraries be notified when print/microfiche titles are replaced by electronic, Internet-accessible titles.

RATIONALE: In this very dynamic environment of electronic government information, it is essential that records contain sufficient information for depository librarians to provide accurate and efficient service. This includes, but is not limited to, being able to tell a patron that prior to this date this title was distributed to depository libraries in paper/fiche or after this date this title was made available via the Internet at this URL (universal resource locator). Communication of this information is also necessary so that similar notations may be made in local shelflists and/or OPAC (online public access catalog) entries.

3. Council supports the Library Program Service (LPS) proposal that a Superintendent of Documents (SuDocs) classification stem and an accession number be assigned to each government information product accessible via GPO Access to partially serve as a unique locator.

RATIONALE: Provision of a classification number with a SuDocs stem represents a transitional middle ground which will assist depository librarians to relate Internet sources to previously printed information and help to identify the provenance of electronic publications. It is anticipated that in the future this program may be superseded by other programs, such as the Persistent Uniform Resource Locator (PURL) that is under development internationally.

RETENTION, PRESERVATION, AND LONG-TERM ACCESS ISSUES

1. Council affirms that the federal government has the responsibility to ensure that government information is preserved. All government information made available to the public through GPO Access, as well as information at federal agency sites to which the public is directed by GPO Pathways, should be considered federal depository information and should be preserved in perpetuity unless determined otherwise by the Superintendent of Documents.

RATIONALE: In the increasingly decentralized electronic environment within the federal government, it has become increasingly difficult to ensure that all government information is identified and becomes a candidate for retention, access, and preservation. Consequently, a centralized coordinating authority such as the Superintendent of Documents is more necessary than ever. In the absence of a central authority that identifies government information worthy of retention, much valuable information may be lost forever.

2. Council recommends that the Public Printer coordinate with the National Archives and Records Administration (NARA) to develop plans for preserving material and to determine the categories of material that NARA will maintain.

RATIONALE: NARA's current practices and policies probably would not ensure that all important public information in electronic formats would be preserved for posterity. For instance, NARA does not currently retain electronic information for which there is no source documentation. Further, NARA converts information to the lowest common source format, such as ASCII, and does not retain distinct software interfaces for databases. Council recommends that GPO, in discussion with NARA, adopt the principle that information retired to NARA will, insofar as possible, be as accessible as before it was retired; in other words, the information should be complete, searchable, and available when it is needed by the user. For electronic information that NARA will not be maintaining, or for information to which NARA cannot ensure adequate access, GPO and the depository library community should look for other partners willing to maintain access to the information.

3. In providing guidance on partnerships between libraries and other non-governmental entities (as recommended by Council in Fall 1995), GPO should stress the importance of providing for long-term access and identifying responsibilities for archiving data.

RATIONALE: Council recognizes the number of partnerships being formed between depository libraries and federal agencies for accessing electronic information. Council views these arrangements as a positive trend in the transition to an electronic depository library system. Increasing the number of sites housing electronic government information can help ensure long-term access. However, Council believes LPS should develop model agreements which libraries can use in negotiating with federal agencies. The model agreements will help ensure that libraries and agencies consider minimum standards for technical and service issues including archiving data for long-term access. In addition, model agreements will allow LPS to serve as a central source for information on electronic partnerships for federal government information.

TRAINING AND COMMUNICATIONS ISSUES

1. Council recommends that GPO offer a training component at the Fall Depository Library Council Meeting in Salt Lake City. Council offers its assistance with planning and, as appropriate, providing some of the training.

RATIONALE: Training continues to be eagerly sought by government information specialists. The success of the recent Spring Conference is ample testimony to this fact. In its Strategic Plan, FY 1996 - FY 2001, GPO identified training as one of several support services it should provide to libraries and librarians (p. 11). Council recognizes that the training sessions at the Fall meeting probably cannot be as elaborate as those provided at the Spring Conference, however, with the addition of an extra half day to the schedule to accommodate Council's need for daytime work sessions, extra time could also be devoted to training. Council believes that with creative planning the costs of providing training sessions could be minimized. Providing such opportunities for professional growth would also enhance GPO's image within the depository library community.

2. Council encourages the GPO staff involved in writing documentation for electronic products to work with gateway libraries and other interested librarians (i.e. technical support personnel) to create user-friendly documentation. Council is pleased to offer its assistance in the organization of such a group which would develop a mechanism for facilitating coordination and communication between those individuals involved with writing user-friendly documentation and others who would advise them.

RATIONALE: Council is mindful of the dedication and effort that the GPO staff exert in the writing of documentation for electronic information products. We believe that with greater involvement from the user community, the task would be less burdensome for GPO and provide an increased amount of user-friendly documentation.

3. Council recommends that GPO establish an official mechanism that enables them to communicate electronically with depository libraries.

RATIONALE: This "official" communications channel should have the capability to enable GPO to disseminate official, system-wide communications as well as receive information from the depository libraries. Types of communication activity should include (but not be limited to) conducting surveys in a timely manner, posting Administrative Notes and other information tools, initiating claims, disseminating news releases and announcements, etc. This mechanism is not intended to be used as a discussion forum.

GPO OPERATIONAL AND TECHNICAL ISSUES

1. Council recommends that GPO set as a high priority supplying GPO cataloging personnel with adequate computer equipment, Internet accessibility, and appropriate software so that they can carry out their responsibilities.

RATIONALE: As the central coordinating authority for bibliographic access to electronic federal government information, it is imperative that GPO staff have the necessary technical infrastructure, equipment, and support in place in order to identify, catalog, and monitor government Internet sources and provide necessary bibliographic access to these sources for libraries and users.

2. Council recommends that GPO take full advantage of its world wide web site to provide the broadest access to information about the Federal Depository Library Program and databases and resources such as the Publications Reference File (PRF).

3. Council recommends that GPO invest in Universal Resource Locator (URL) verification software.

RATIONALE: The present world wide web URL technology is not designed to have any reliable amount of persistence. Consequently, a significant portion of the information referenced with URLs becomes lost on a weekly basis. The URL verification software cannot fix broken URLs, but it can at least demonstrate which URLs seem to have become obsolete at the time the URL verification was attempted. These URLs might then be considered for elimination or re-location to the new URL.

Daniel P. O'Mahony
Government Documents Coordinator
Brown University Library - Box A
Providence, RI 02912

Attachment L:

Comments from the Information Industry Association



INFORMATION INDUSTRY ASSOCIATION

**Information Industry Association
Comments in response to:**

**The Government Printing Office's
*Study to Identify Measures Necessary for a Successful Transition
to a More Electronic Federal Depository Library Program***

Submitted May 24, 1996

1625 Massachusetts Avenue, NW Suite 700 Washington, DC 20036 202-986-0280 FAX 202-638-4403

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Information Industry Association Comments in Response to:
The Government Printing Office's
Study to Identify Measures Necessary for a Successful Transition
to a More Electronic Federal Depository Library Program

Submitted May 24, 1996

The Information Industry Association ("IIA") submits the following comments in response to the Government Printing Office's (GPO) Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program.

IIA is aware that other similar studies and some legislative proposals contemplate electronic dissemination of federal government information by legislative or executive agencies other than GPO. Our comments in no way should imply that we either support or reject GPO's approach or that we will not consider other options as they are forwarded. Further, our general comments below -- especially those relating to information dissemination principles -- would apply to any agency, or any entity "standing in the shoes" of an agency, which is distributing federal government information to the public.

Information Industry Association

IIA is the trade association of leading companies involved in the creation, distribution and use of information products, services and technologies. Our 550 corporate members range from large multinationals to entrepreneurial start-ups, and include traditional and electronic publishers, database producers and providers, interactive electronic services (audio and video), computer manufacturers, software developers, financial information services, and telecommunications providers.

Since IIA's founding in 1968, sound government information dissemination policy has been one of our paramount public policy goals. IIA has been active in helping formulate policies that both support the government's affirmative obligation to provide information that it maintains and sustain the ability of citizens to obtain information by and about their government from non-governmental providers, including private sector re-disseminators. Over the years, IIA has been an active participant in discussions with the Government Printing Office (GPO) regarding its information dissemination programs and policies, and we are currently serving as one of the designated advisors to this Study.

IIA member companies develop and distribute innovative information products and services to meet the information needs of American academics, businesses, professionals, researchers, and the general public. Many of these products and services are based on, or include, information originating in the federal government -- including Congress.

Our member companies add value to this information in a variety of ways: by assembling and editing government information; by arranging and organizing it in useful ways; by combining it with information from other sources; by adding indexing, cross-referencing and annotating; and by updating and expanding databases to make sure that they are comprehensive, timely and accurate. Information companies then distribute these value-added products to the public in convenient, useful and user-friendly formats --

including hard copy, microform, and a range of electronic dissemination media -- and provide ongoing customer service (often comprehensive, round-the-clock customer support) to make sure that the customer's information needs are being satisfied to the greatest extent possible. In fact, many members of Congress, the executive branch, the courts and their staffs rely on information developed and maintained by the private sector. In short, a mature, value-added information industry has developed around the rich and diverse resource of federal government information and continues to serve the needs of a large portion of the American public.

General Interest of the Information Industry Association

IIA commends Congress for requiring and GPO for carrying out this Study which documents many of the practical and policy considerations necessary for the transition to an electronic Federal Depository Library Program (FDLP). As experts in the dissemination of information to the public, we recognize that there are many complex issues with which to grapple, and that it is a very difficult process to reformulate delivery of government information services for the digital age. Thus, as the transition occurs, we believe it is critical that Congress and GPO continue to reach out to the public and private sector users of GPO information for advise and comment. In general, IIA believes GPO has done a good job of pinpointing the needs of the library community and balancing those needs with limited budgetary resources.

In addition, IIA supports the underlying goals of the Congress and of GPO in its Study efforts, namely to improve the dissemination of federal government information, and to improve and streamline the operations of the legislative branch. Further, we remain supportive of a Federal Depository Library Program designed to provide access to government information to those citizens who have neither the desire nor the means to inform themselves about government in other ways. We do not support, however, and are concerned by the premise of the Study that GPO should try to be all things to all people. Rather, in our view, the goals outlined in the Study can best be met by a partnership among a range of public and private sector institutions, including the information industry, the education and library communities, and all parts of the federal government.

While the GPO Study focuses very specifically on dissemination of federal agency and congressional information to the FDLP, policies established by the Study and the forthcoming recommendations for legislative changes to Title 44 could ultimately set important precedents for general dissemination by the federal government beyond the FDLP. These policies in turn, could affect how information companies access and disseminate information to their customers, who are also members of the public. In addition, private sector information companies and their users rely on GPO for access to both federal agency and congressional information through GPO sales program and GPO Access system, and policies recommended in this Study could also affect that access.

Over the years, GPO has been a consistent and reliable source of the information it provides. This consistency can be attributed to the fact that, by and large, GPO has disseminated the information it maintains under responsible policy guidelines similar to those mandated for federal agencies by the Paperwork Reduction Act of 1995, (hereinafter P.L. 104-13). We are pleased to note that in the Study, GPO mentions P.L. 104-13, and reiterates some of the important information dissemination principles mandated by the law. GPO's current dissemination practices and its restatement of support for the mandates of the law reinforces the idea that the private sector plays a critical role in ensuring that more government information gets into the hands of more citizens in ways that are most useful to them. However, we believe it is important to do more than simply state support for the principles contained in P.L. 104-13, we advocate that GPO or any other legislative branch information disseminator be required to

adhere to the information policies outlined in P.L. 104-13 by adopting a statutory requirement. The primary issue of interest for the information industry is insuring that open and unfettered access to the information remain intact so that we can continue to deliver the world's most comprehensive, timely and informative knowledge products to the American public.

With regard to transition by GPO to an electronic FDLP and the dissemination of executive branch information, P.L. 104-13 assures that executive agencies in a decentralized system abide by a set of principles for dissemination. However, no such principles currently apply to the legislative or judicial branches. To ensure a wide variety of information disseminators and to foster private sector investment and innovation in information products, we suggest that as Title 44 legislative changes are considered, a requirement be added that legislative branch agencies also abide by the principles contained in P.L. 104-13. Specifically, those principles include:

Seeking timely public input and responding to concerns prior to initiating, discontinuing, or modifying any information products or services;

Promoting a diversity of sources and ensuring that no one gains an exclusive right to the information. (Legislative Branch Agencies should be required to give all members of the public, including private sector re-disseminators, equal and timely access to all taxpayer-funded materials -- specifically the underlying agency data -- at no more than the cost of dissemination); and

Refraining from placing copyright-like controls on the materials such as: granting exclusive contracts; charging royalties; or placing downstream use restrictions on the information.

Adoption of legislative mandates similar to those in P.L. 104-13 is one thing. Equally important is compliance with the law, and IIA would urge the drafters of Title 44 reforms also formulate strong measures to assure that legislative branch agencies adhere to statutory mandates once they are enacted. This has not always been the case with executive branch agency compliance with P.L. 104-13.

Since October of last year, several executive branch agencies have instituted policies, products and services which ignore the information dissemination mandates of the law. As mentioned above, requiring adherence to these types of dissemination policies is crucial if the federal government is to ensure that information will continue to be made available as the FDLP and the agencies transition to a decentralized electronic environment.

Issues of Concern/Interest Contained in the Study

With regard to the Study, we have both general concerns and specific concerns. Generally, the Study suggests that GPO's role of duplicator and disseminator of federal government information be dramatically redefined to that of publisher. Throughout the Study, this type of approach suggests that GPO is trying to be all things to all the users -- actual and potential -- of government information that comes through GPO.

The difference between the two types of roles -- disseminator versus publisher -- is critically important. GPO has been and continues to be the sole source for some federal government information.

Because GPO is the only source, it is crucial that the integrity of the information be preserved. This preservation could be jeopardized should GPO begin making editorial decisions about the federal government information it disseminates.

Specifically, the Study is replete with references to the notion that government information should be standardized and the FDLP should be the catalyst for this standardization. If agencies don't choose the standard formats GPO determines are useful, GPO could then convert agency publications to one that GPO finds acceptable. We believe decisions about information creation, including formatting, is solely the responsibility of the originating agencies and should be based on the statutory authority and legitimate needs of agencies. All editorial control belongs with the originating agencies. GPO, on the other hand, is a printer, manufacturer, sales agent and distributor for government publications, but not a publisher. It does not now, never has in the past, and never should in the future exercise editorial control over government publications. In addition, GPO's belief that standardization of government information will aid the private sector is ill-founded. While some benefit may accrue, it is more likely that additional formatting by GPO will increase costs for information companies and their customers. Therefore, it is much more important for industry to have access to the underlying data.

Providing "information in formats appropriate to the needs of users and intended usage," as is suggested goal number three of the Study, is a significant part of what private sector information companies already do. While GPO is an important source of information to the FDLP, many of the depository libraries also purchase private sector products which help them tailor their information acquisition needs to their specific users or markets. Goal three implies that GPO would transform agency information products into new products or services designed to meet the many varying needs of the numerous users of GPO information. This would place GPO in a publishing role attempting to compete directly with the private sector information providers and would divert GPO -- and its limited resources -- from the focus on dissemination of basic electronic government information.

To avoid such a situation and ensure the widest possible diversity of sources of government information, we stress again the importance of requiring that GPO and other legislative branch agencies be held to the same information dissemination standards as are set out in P.L. 104-13. Especially important in this context is the notion that the authentic underlying agency data be provided to any and all users on an equal and timely basis and that it be provided at no more than the cost of dissemination.

These provisions are also important to ensure that agencies do not obtain a competitive advantage over private sector information companies. The statutory tenets in P.L. 104-13 recognize that identifying other products and services in the marketplace helps agencies avoid undermining the existing diversity of information sources minimizes unnecessary competition with the private sector. The legislative history of P.L. 104-13 is replete with supporting references to this idea. The House Committee Report, for example, states that agencies should "encourage a diversity of providers in the private and public sectors, while avoiding unnecessary duplication of effort" and should "also take advantage of (and not unnecessarily duplicate) private sector initiatives that may more efficiently or effectively serve the same ends."

The Study also includes a list of goals for the FDLP some of which raise concern. Part of goal II is; "to expand the array of Federal information products and services made available through the FDLP." Again, in an environment of shrinking budgets we question the wisdom of expanding products or services

which may duplicate other current or future products in the market. Here we emphasize that there is a significant difference between improving access to information and trying to anticipate the needs of all users.

In addition, it is important to note that libraries are currently overwhelmed with the storage and

maintenance requirements associated with the information they receive through the FDLP. Rather than looking at ways to expand products and services made available by GPO, the FDLP might be better served by being given the flexibility to use moneys appropriated by Congress to purchase government information products and services from whomever they choose.

The GPO Study also raises some important policy issues which will have far broader implications for dissemination of, and access to, federal government information than those associated with dissemination to the FDLP. For instance; Issue 1. (A) addresses the definition and scope of what constitutes a government publication, and (B) the necessity of finding means to "assure the authenticity of Government information in the FDLP." We agree citizens need to know which electronic publications federal agencies release are "official" documents and federal agencies need to provide the means to address this issue in the electronic environment. We also recognize that Title 44 needs to provide flexibility to allow electronic publications to be considered official publications.

However, when addressing issues such as authentication of government information, and the scope of information to be included in the FDLP, the government should assure that it does not raise unnecessary barriers to further use of the information, which will have a chilling affect on private industry and ultimately reduce access by those in the public who are our customers.

Finally, the Study raises and even acknowledges that converting to a fully electronic dissemination system does not necessarily save money for GPO or for the users of the FDLP -- the depository libraries. We recognize that the Study contains a recommendation that mirrors a proposal before Congress to provide federal taxpayer dollars to aid the depository libraries in improving technology and training for accessing electronic information. IIA does not object to this request. We believe that the decision should be left to Congress.

However, if the goal is to serve the depository library users in better, more efficient and economic ways, and Congress determines that funding should be allocated for this purpose, IIA would recommend that consideration be given to allowing libraries to determine how best to spend these funds. By providing flexibility in funding, libraries will be given the opportunity to determine if the funds would best be spent on technology improvements, or on training, or possibly to purchase private sector products that meet each individual library's and its specific user needs.

Furthermore, should Congress support this funding, IIA does have an important concern. Because this technology would ultimately be used for accessing non-governmental, proprietary information, we would suggest that any money granted for training purposes require that this training -- by whomever administers it -- adequately inform all library patrons about the importance of respecting intellectual property in electronic formats.

Conclusion

As the legislative, executive and judicial branches move toward electronic dissemination of the public information they create, there are and will continue to be many thought-provoking and challenging issues with which to grapple. We support both Congress and GPO in efforts thus far to move the FDLP into the world of digital, electronic dissemination and believe that many important issues have been raised and

good recommendations made. Now is the proper time for the evaluation of GPO and the FDLP roles in this transition.

While trying to craft solutions to these complex issues, it is crucial that these decisions be made with the clear understanding that they can and will have implications for a broad segment of society including individual citizens, libraries, non-profits -- as well as the information industry and its customers. In order to assure that the United States continues to foster the most open, democratic society and the most successful, productive information industry in the world, it is imperative that governmental and judicial entities adhere to the information policies such as those contained in P.L. 104-13.

Attachment M:

Comments from the Library Associations

Comments from the Library Associations

On April 18, 1996, there was a meeting of the FDLP Study working group and advisors in order to provide the advisors with an opportunity to present their preliminary reactions to the draft report to Congress. The minutes of the meeting are provided as Attachment J. This attachment includes the supplemental statement submitted by the library association advisors as a letter to the Public Printer, dated April 24, 1996.

A second letter was submitted on May 24, 1996, providing additional comments on the FDLP Study, including a number of enclosures with respect to specific task force reports. Both letters were submitted on behalf of the following associations:

American Association of Law Libraries (AALL)

American Library Association (ALA), including the ALA Government Documents Roundtable (GODORT)

Association of Research Libraries (ARL)

Special Libraries Association (SLA)

The Medical Library Association (MLA) also participated as an advisor to the FDLP Study, but did not join in these comments.

AMERICAN ASSOCIATION OF LAW LIBRARIES



WASHINGTON AFFAIRS REPRESENTATIVE

Robert L. Oakley

*Director of the Law Library & Professor of Law
Georgetown University Law Center*

April 26, 1996

Michael F. DiMario
Public Printer
U. S. Government Printing Office
732 N. Capitol Street, N.W.
Washington, D.C. 20401

Dear Mr. DiMario:

Thank you for this opportunity to respond to the recently released *Report to the Congress: Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program*. We are responding to your request to submit written comments based on the oral remarks delivered at last week's joint meeting between members of the Working Group and the Advisors. Our comments today reflect the views of the members of the American Association of Law Libraries, the American Library Association, the Association of Research Libraries and the Special Libraries Association.

We are pleased that our associations, which represent more than 75,000 professionals in public, academic and special libraries throughout the country, were included in an advisory capacity during the lengthy study process. We commend the Government Printing Office for carrying out this legislatively-mandated study in a manner that considered the views of all three branches of the government, the library community and the private sector. It is especially noteworthy that members of the Working Group consisted of representatives from key agencies, including the National Archives and Records Administration (NARA), as well as many Congressional staff. It is hoped that one outcome of this collaborative approach will be improved understanding by all stakeholders of the serious issues of concern to libraries and other users of government information as the transition to a more electronic Federal Depository Library Program (FDLP) proceeds.

The FDLP has existed for one hundred and thirty-nine years as a very successful partnership program between the federal government, libraries and the public. This partnership must become even stronger in the future in order that the move to a more electronic program succeeds in reaching its goal: that is, the use of new technologies to expand the public's access to government information. We are pleased with the draft report's principles for federal government information, including the public's right to know and the government's responsibility to disseminate and provide broad and permanent access to its information. The well-articulated goals for an electronic FDLP, as noted in the draft report, must be realized to ensure that these important principles are achieved.

Edward Bennett Williams Law Library 111 G Street, N.W. Washington, DC 20001
Voice: (202) 662/9160 Telefax: (202) 662/9202 Internet: oakley@law.georgetown.edu

It is especially gratifying that many of the comments and concerns addressed in our previous joint letter to you regarding the Transition Plan were incorporated into the draft report. We do wish to offer some additional general comments on the draft study as there continue to be many areas of serious concern and importance to our members.

TIME FRAME: We are pleased that the draft report offers a more realistic and technologically feasible five to seven year time frame for the transition. The Transition Chronology proposed in the strategic plan better reflects the nation's technological infrastructure; the ability of agencies to create and provide access to information electronically; and the capabilities of libraries and users to effectively utilize such information. We will urge members of the Congressional authorizing and appropriating committees to support this more realistic time frame so that no barriers develop during the transitional years that would reduce the public's access to government information.

VIABILITY OF PRINT: We are pleased that the draft study recognizes the continued viability of a variety of formats, including print, to meet user needs. Format decisions should be based on usage, on the needs of the user community, and also on an agency's own dissemination requirements. While electronic information offers many advantages to paper, including timeliness, the ability to perform full-text searches and to manipulate data, certain types of materials will continue to be more efficiently created, disseminated and used in paper format.

Another problematic area regarding format decisions concerns fee-based products and services; namely, when an agency stops production of a title in print and moves it into a fee-based online service. One example of this is that depository libraries have in the past been able to select the FBIS and JPRS reports in print formats but these are now available online through paid subscriptions to the new World News Connection service of the National Technical Information Service (NTIS). It is planned that by the end of this year these important materials will be available only online while the printed and microfiche reports will be phased out. Valuable materials that have traditionally been available to depositories will no longer be included in the program since NTIS does not offer no-fee access to the World News Connection for depository libraries.

REDUNDANCY AND DIVERSITY: We are pleased that the draft study recognizes the principles of redundancy and diversity as articulated in NCLIS Principle #5: The Federal Government Should Ensure a Wide Diversity of Sources of Access, Private as Well as Governmental, to Public Information. Redundancy--in access, in formats, and in preservation--is both a necessity and an advantage. It provides a safeguard in case of overloaded systems, natural or man-made disasters, and even government shutdowns.

It is the government's affirmative obligation to ensure permanent access to the information that it produces. In the electronic environment, diverse and multiple partners are needed to promote and ensure access and preservation to government information long after its initial creation and dissemination. At the same time, a diversity of other public, private and not-for-profit sources is critical to ensuring that information remains available in useful and convenient ways.

CENTRALIZATION: We are pleased that the draft study recognizes the need for coordination and centralization to meet the goals of the FDLP. The program in a distributed electronic environment requires coordination to bring all participants together on issues of: 1) standardization and guidelines to ensure ease of locating information and guarantees of long-term access; 2) no-fee access to all government information, including fee-based products and services; and 3) usability. The complexities of these issues, particularly when many agencies are creating their own web sites, seems to be underestimated in the draft report. We commend GPO ACCESS as the legislatively-mandated centralized point of entry to electronic government information and the GPO locator service that assists the public in finding information across diverse government entities. Users must have timely and comprehensive finding aids to the growing vast universe of electronic government information, and centralized coordination is the most efficient means.

In addition to the above general comments on the draft study, we firmly believe that the study's goal of ensuring broader public access through electronic means will not be achieved unless the following concerns are addressed. While details of the draft study and the strategic plan remain to be worked out, these issues are critical to the transition's success. We hope also that the collaborative approach which GPO brought to the study itself will be maintained so that all interested and involved partners, including our associations, may continue to participate in the process.

MORE DATA NEEDED: We remain very concerned that although some useful information was gathered during the study process, neither the draft report, the models developed as part of the task force reports, nor the strategic plan are based on substantive data regarding costs to and capabilities of the government, libraries or the public to produce, access and use predominately electronic information. We believe that a technical scan is necessary and we will urge Congress to approve funding for the Technical Implementation Assistance which the report proposes.

NO-FEE ACCESS: We strongly support the study's first goal statement which ensures that the public has equitable, no-fee local access to government information through depository libraries. The draft study addresses this issue by suggesting that reimbursement to agencies for fee-based services could come from the Superintendent of Documents. There are no assurances, however, that there will be continued adequate funding to support the transition plan. Consequently, we are concerned that government information for which agencies must recover costs, particularly fee-based products and services, will become a new generation of fugitive information.

LONG TERM PERMANENT ACCESS AND PRESERVATION: The draft report acknowledges that issues relating to long-term access and preservation of electronic government information require new relationships, indeed new strategies, between all stakeholders: GPO, agencies, NARA and participating libraries. Yet the draft fails to identify what these strategies may entail and the responsibilities for each partner. Long term preservation and access issues are critical to the success of the FDLP; thus it is crucial that additional information regarding these activities be provided.

In addition, the draft report includes the recommendation that GPO will assume new responsibilities in the archival arena. Through many years of maintaining preservation and archival programs and collections, libraries have learned that these efforts require significant investments in technological solutions (e.g. deacidification and digitization pilots), personnel, and facilities. To be successful in undertaking new preservation and archiving responsibilities, GPO will need to provide additional detail regarding how such tasks will be accomplished. We suggest that a comprehensive study be undertaken among all partners to guarantee permanent long term access and preservation. For example, it is not clear how and when GPO would support the "periodic review and refreshing of data to different mediums."

The issues of long term permanent access and preservation are central to the transition to a more electronic program and thus we are especially concerned that the draft study offers no specifics, no data, no costs and no assurances. We reaffirm that these critical issues are the responsibility of the government and that they must be comprehensively addressed before the transition plan is implemented. The questions are very basic ones: first, how do we assure that electronic information will be available and usable next month, next year, or in twenty-five, fifty, or even a hundred years from now; and second, who will be responsible for ensuring long-term permanent access. In shifting long-term access from depository libraries to the government, as the draft study suggests, we must be assured that funding will remain adequate so that the government can refresh and migrate information. Otherwise, our national historical records will disappear into a black hole and the advantages of electronic information will be nullified.

COPYRIGHT-LIKE RESTRICTIONS: Principle 5 states that Government information created or compiled at Government expense or by Government employees as part of their official duties, regardless of the format in which it is published, is in the public domain. We strongly affirm this principle and note that some agencies are imposing copyright-like restrictions on electronic information. Worrisome patterns are already being proposed; for example, in the case of an agency restricting the downloading of information or its electronic re-transmission. This is an egregious barrier not only to the public's current and long term access to information but also to innovative and creative forces in the private sector to develop enhanced products and services. Further, regarding the proposal of the National Technical Information Service, libraries can neither restrict nor control users from placing electronic information on the Internet.

FEE-BASED PRODUCTS AND SERVICES: In order to fulfill the goals of an enhanced FDLP program, it is vital that materials not currently in the program, such as those created by self-supporting agencies who are by law required to recover their costs, be included. While the draft report proposes models through which these materials would enter the program, the key question is, of course, who is going to pay. GPO suggests that the Superintendent of Documents would reimburse agencies for the cost of including these products and services in the program. However, there are no guarantees that Congress would assure the necessary funding.

This issue addresses the troubling question of cost recovery and quasi-business corporations. Regarding the NTIS proposal for example, it is very troubling that libraries would be asked to become watchdogs to ensure that these electronic materials do not leak out into the public domain. We are also concerned that these or similar restrictions could potentially be used by agencies for access to services for which users have paid subscriptions. A strong affirmation

on redistribution without copyright-like restrictions for agency cost-recovery programs is imperative.

ROLE AND RESPONSIBILITIES OF PROGRAM LIBRARIES: We are concerned that since all depository libraries will soon be required to have Internet access and since, according to the plan, most government information will be available in electronic format, even the smallest program library will by default become a “regional” for electronic government information. Requiring all libraries to fulfill the regional depository libraries’ statutory responsibilities of access and service will place undue burdens on selectives. In order to prevent this occurrence, more flexibility must be built into the program that allows libraries to provide access to electronic information in a manner they can accommodate. We must all acknowledge the tremendous value of program libraries and it is important to provide incentives for their continued participation in the program.

CONCLUSION:

These comments on the draft study and the strategic plan supplement our oral comments delivered at last week’s joint Working Group and Advisors meeting. We will submit additional comments on the draft study and particularly on some of the specific Task Force Reports within the next few weeks. In particular, we are troubled that some proposed alternative models in several of the Task Force Reports may not be wholly in accord with the study’s affirmed principles and goals and thus are very problematic to our members.

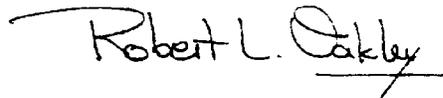
We are especially pleased to see the new draft language of the definitions in Chapter 19, Title 44 that acknowledge that electronic information is explicitly defined in the law as being a key component of the FDLP. It is crucial that Chapter 19 be amended to reflect these changes in definitions and the broader scope of the FDLP to assure that the goals for a more electronic program are achieved.

We believe that funding for the technology grants will provide seed money for small selective libraries which otherwise would be unable to provide access to electronic products and services to members of their local communities. One-time technology grants are a step in the right direction although they may not be sufficient since technology itself changes so rapidly as do user needs. To strengthen the justification for these technology grants, we suggest that GPO determine the number of libraries that would be unable to provide access to the expanding array of electronic FDLP materials without these start-up grants.

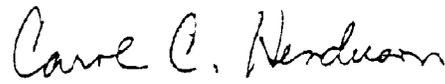
We would like to make the following recommendations: 1) that the substantial progress and inter-agency dialog achieved throughout the past year continue; 2) that GPO and agencies work together to determine consistency regarding format and standards; and 3) that the Working Group model continue with Information Resource Management representatives from GPO, the Library of Congress, the Office of Management and Budget, and the Administrative Office of the United States Courts, as well as the library community and users.

We remain concerned that the draft study lacks clear incentives for agencies to participate in the program, particularly when their budgets are being cut. We also firmly believe that means of oversight and compliance must be provided in a meaningful and effective way. Our associations, representing the broader library community, are willing to work with you to supplement and strengthen the study by offering additional information in the following areas: the capabilities of and impact on libraries and users; the role and responsibilities of regional and selective depository libraries; and the troublesome questions of oversight and compliance. Thank you very much for this opportunity to comment on the draft report.

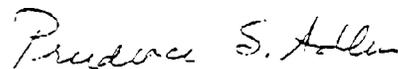
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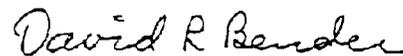
Robert L. Oakley
Washington Affairs Representative
American Association of Law Libraries



Carol C. Henderson
Executive Director - Washington Office
American Library Association



Prudence S. Adler
Assistant Executive Director
Association of Research Libraries



David R. Bender
Executive Director
Special Libraries Association

cc: Members, House and Senate Legislative Appropriations Subcommittees
Chair and Ranking Minority Member, House and Senate Authorizing Committees
Ms. Linda Kemp, Staff Director, Joint Committee on Printing

AMERICAN ASSOCIATION OF LAW LIBRARIES



WASHINGTON AFFAIRS REPRESENTATIVE

Robert L. Oakley
Director of the Law Library & Professor of Law
Georgetown University Law Center

May 24, 1996

Michael F. DiMario
Public Printer
U.S. Government Printing Office
732 N. Capitol Street, N.W.
Washington, D.C. 20401

Dear Mr. DiMario:

We appreciate this opportunity to offer some final comments on the *Report to the Congress: Study to Identify Measures for a Successful Transition to a More Electronic Federal Depository Library Program*. On behalf of the American Association of Law Libraries, the American Library Association, the Association of Research Libraries and the Special Libraries Association, we again thank you for including us as advisors to this very important study.

Our earlier letters to you on the March draft report to Congress and on *The Electronic Federal Depository Library Program: Transition Plan, FY 1996-FY 1998* issued in December, have already articulated many of our concerns. These are very important issues, and include bibliographic control, long term access, preservation and authenticity, to name but a few. We firmly believe that these issues must be decisively addressed before the transition to a predominately electronic program proceeds any further.

In addition, we believe that Task 1A, the "Technical analysis by a Federally-funded research and development center (FFRDC)" was crucial to determining the most cost effective way to implement the more electronic program. We reiterate our belief that the Technical Implementation Assistance study (Executive Summary, Appendix A) must be carried out to provide necessary analytical data on technological issues including hardware, software, and communications options. The surveys of depository libraries and agencies will assist GPO in making informed decisions on how the transition can reasonably be achieved.

We have some additional comments regarding the technological infrastructure. Planning for technological change is never easy, but the enormous technological change in the underlying information infrastructure makes the job even more difficult. There are few certainties about what the infrastructure will look like next year, much less five to ten years from now. For instance, five years ago no one predicted the growth and range of use of the Internet that has occurred since that time. (We refer you to the recent report of the Computer Science and Telecommunications Board of the National Research Council, titled *The Unpredictable Certainty*.)

We do know that, rapid as the growth has been, the evolution of a robust widespread and high-speed national infrastructure will be slower than what seems to be anticipated in the strategic plan. Capital investments must be made in the underlying technology, marketable applications need to be developed to stimulate private investments, and users must invest in technology and training at their end, in order to take advantage of new services. This takes time.

We also know that the basic architecture of the future infrastructure is still undetermined, and may take some time to settle down. Will highly centralized services and resources be most economic and effective, or will technology favor distributed resources? Will application software reside in the net or will it be in the users' computers? How will the economics of high quality printing evolve? The answers to all of the questions may well change over time as new innovations reach the market, as new discoveries are made in the laboratories, and as users such as libraries, publishers, and government agencies find new ways to use information technology.

Thus, the following two points are critical:

First, the transition plan should be flexible and evolving and not be overly dependent on particular technological characteristics and projections. In brief, it should not put all of its eggs in one technological basket and not be wedded to rigid timetables.

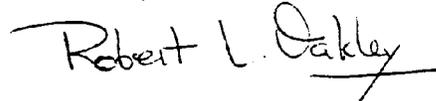
Second, the transition should incorporate a formal and continuing process of technology scanning and evaluation that moves forward as the project moves forward. We have recommended all along that the GPO should be allowed to conduct such technology evaluations. Not only is it a critical need, it is an on-going one.

In addition to these comments, we are attaching responses to several of the task reports included in the study. As advisors, we rely on our membership for input on issues of such critical concern to the future of the Federal Depository Library Program. These comments have been drafted and discussed by highly-skilled members of our four associations who, as depository librarians, have first-hand knowledge of the impact of these important issues on their institutions and their users. The task force reports contain valuable comments and suggestions that we hope will be taken into consideration as we move together towards a more electronic program.

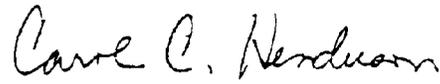
Lastly, we join you in affirming the Principles For Federal Government Information and the Mission and Goals For the Federal Depository Library Program as articulated in the draft report to Congress (Sections III and IV). The Federal Depository Library Program has proven to be a highly successful partnership for 139 years between the government and libraries located throughout our nation in almost every Congressional district. The benefits of the program contribute directly to the knowledge of citizens everywhere about the activities of their government, and to the economic well-being of our nation.

We are pleased to have participated as advisors throughout the lengthy study process. We hope that the dialogue among the various partner agencies and the depository community will continue as plans are implemented for the shift to a more electronic FDLP. Thank you very much for considering our concerns during the study process. Please do not hesitate to contact any one of us if we can be of further assistance.

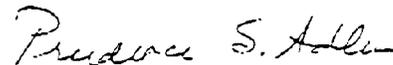
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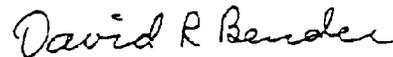
Robert L. Oakley
Washington Affairs Representative
American Association of Law Libraries



Carol C. Henderson
Executive Director - Washington Office
American Library Association



Prudence S. Adler
Assistant Executive Director
Association of Research Libraries



David R. Bender
Executive Director
Special Libraries Association

cc: Members, House and Senate Legislative Appropriations Subcommittee
Chair and Ranking Minority Member, House and Senate Authorizing Committees
Ms. Linda Kemp, Staff Director, Joint Committee on Printing

Enclosures

TASK 5: Evaluation of Incentives for Publishing Agencies to Migrate From Print Products to Electronic Format. (Attachment D-4)

ABSTRACT: The full participation by publishing agencies is essential to the success of any government information dissemination program, yet it is important to recognize that agencies have many responsibilities and many pressures on limited budgets. The only positive incentive for agencies to convert depository materials to electronic formats will be a system which is as automatic and cost effective for them as the traditional program. Since provision of information to depository libraries is not a major part of agency missions, the incentives to adopt electronic publishing must come from a broader vision of the value of an informed citizenry; data which identifies current progress and barriers; and directives to agencies which make the government commitment to information access very clear. In the electronic environment there is a need for central coordination of public access to government information. The existence of a program which would provide leadership in standards, cataloging, and long-term access could in itself be an incentive for agencies to use electronic publishing as a cost-effective way of carrying out missions while assuring public access to information.

The issues raised in Task 5 are very important ones, since without full participation by publishing agencies no government information dissemination program can be completely successful. Depository libraries have tried to find ways to develop communication channels with as many agencies as possible. Since the depositories serve users of agency information who may not be recognized by the agencies as their primary users, depository librarians are in a position to communicate user needs, suggest improvements in agency products and software, and to recommend agency publications and electronic resources to potential users and buyers.

The legislative requirements for the GPO study ask for a study which "surveys current and future dissemination plans of executive branch agencies." Without the data which would have been gathered by the technical analysis of an FFRDC (Task 1), it is not possible to identify with much accuracy the progress which is being made by agencies or the barriers which might lead to the identification of incentives. The mention in the Strategic Plan that a survey will be part of the Technical Implementation Assistance is very positive and this survey will be useful in expanding on the incentives identified in Task 5.

The task assumes that agencies should be migrating from print to electronic formats. Many agencies are making major strides in that direction. On the other hand, there are some publications which agencies will decide are most useful to their primary clientele in paper format. In such cases, it will be important to weigh both the costs of reproduction and distribution in paper format or the cost of electronic conversion, and the usefulness of the final product. If the agency has no need of its own to provide an electronic version of a particular publication to meet its mission, another entity such as GPO will need to absorb the costs of electronic conversion if that format is to be provided to depositories.

The Task 5 report makes a powerful point in explaining why the Federal Depository Library Program (FDLP) works so smoothly for agencies in the traditional formats. The GPO reproduces the necessary extra copies without any effort on the part of the agencies, and Congressional appropriations pay the costs of reproduction and distribution. The publications are made available across the country in a way that is simple and cost-effective. The only positive incentive for agencies to convert to electronic formats will be a system which is equally as automatic and cost-effective for them. An additional incentive would be added if

services were offered to agencies which would assist them in meeting their primary missions in more effective ways.

Incentive A

Incentive A in the Task 5 report is based on the assumption that agencies would still be submitting publications for printing, and that GPO would then be making decisions about formats for the FDLP. This provides the opportunity for electronic conversion of publications, which could serve information needs of FDLP users and of the agencies themselves. But it may not provide a major incentive for agencies to move away from print altogether, unless the services offered by GPO can provide efficiencies beyond what the agencies can do in other ways.

Incentive B

Incentive B applies to information products which agencies do provide electronically and maintain themselves, and suggests ways to assure that the information is included in the FDLP. It addresses to some extent the need for a FDLP even when information is available somewhere on the Web. FDLP partners assist users in identifying appropriate and authoritative information, and provide sites for access by users who have no direct Web connections. With these benefits, and the added proposal that the GPO would assist in transferring electronic information as required by NARA, it could provide incentives for agency cooperation with the FDLP, for information already in electronic format. It is less clear whether these advantages would be enough to act as incentives to migrate additional information from print.

Issues

The issues identified in the Task 5 report are important ones which deserve additional prominence as the study progresses. The need for standardization, at least for a consensus on a group of acceptable formats and software, is expressed by both agencies and users. This process should provide a mechanism to move toward acceptance of standards, not to be imposed by GPO but to be agreed upon by all branches of government. GPO's service could be to evaluate alternatives and assist with implementation.

Task 5 concludes that even in the electronic environment there is a need for a central focus for coordinating public access to government information. If the government is to carry out its commitment to public access to its information, a central coordinating authority will be the most cost-effective way to assure that.

The problem with trying to use the FDLP as an incentive to move agencies to electronic publishing is that agencies have many responsibilities and many pressures on limited budgets. The provision of information to libraries is not the primary mission for most agencies, and their incentives to adopt electronic publishing must come from a broader vision of what will serve agency missions and also prove cost-effective. If elements of the FDLP and services offered by the GPO can be proven to assist agencies in these ways, participation in the program can provide a viable incentive for migration to electronic information dissemination.

TASK 6: Evaluation of current laws governing the FDLP and recommendation of any legislative

changes necessary for a successful transition to a more electronic program. (Attachment D-5)

ABSTRACT: The draft changes to Chapter 19, Title 44, aim to facilitate the transition to a more electronic program. Chapter 19 should be amended to recognize the electronic focus of the program and to ensure that the growing array of electronic products and services published by all three branches of government are included in the program. The entire life-cycle of information--from its creation to its permanent access and preservation--and agency compliance are additional issues that need to be taken into consideration as legislative changes are considered by Congress.

Section 1. Scope of Information in the FDLP

The draft language definitions of "Government information," "Government information product," and "Government electronic information service" (1a) indicate that information produced in a variety of electronic formats, including both tangible products and online services, are as much within the scope of the program as materials produced in print formats. The Task 6 draft also suggests language that would bring into the program materials that have in the past been excluded. These include cooperative publications that must be sold by agencies in order to be self-sustaining (1b); fee-based electronic services (1c); and products not produced or procured by GPO (1e).

In the current budget environment, there is concern that agencies may impose copyright- like restrictions on government information products, both in print and electronic formats. Congress needs to address this issue as it conflicts with Principle 5, "Government Information Created or Compiled by Government Employees or at Government Expense Should Remain in the Public Domain." A stated goal of the GPO study was to find ways of using technology to improve and enhance the public's access to information. To be successful, the FDLP is dependent on Congress to provide sufficient funding, either directly to agencies or through the Superintendent of Documents, to make these materials available to the public at no cost.

As the number of agency electronic information products grow, the role of the GPO in providing users with bibliographic and long-term access becomes even more critical. A mechanism whereby the Superintendent of Documents is able to access electronic source data files from agencies is vital to ensuring that such data becomes a part of the program, is easily identifiable to the public, and is available for the long-term.

Section 2. Permanent Public Access to Government Information.

The proposed programmatic changes shift responsibility for permanent public access from participating depository libraries to the government. In view of the fact that agencies are today developing web sites with neither standards nor requirements for long-term access, a significant loss of valuable information is already occurring. The proliferation of agency web sites will exacerbate this loss unless legislative changes clearly define roles and responsibilities of all participants. Agencies should comply not only with making information available to the public, for example through an agency web site, but also with assuring that the files are transferred for permanent access to either the GPO or another archival facility. Legislative changes should consider the entire life-cycle of electronic information.

The draft language suggests that coordination by the Superintendent of Documents may accomplish the goal of permanent public access. Other than proposing use of GPO's electronic storage facility,

however, the draft language lacks specifics as to which entities are to be ultimately responsible for permanent public access. More precise language would be useful. In addition, sufficient incentives, including funding, are necessary to entice program libraries to participate in a distributed system for permanent long-term access.

Finally, more precise recommendations are needed to address the preservation of data, migration of formats as necessary, distributed storage of data and equipment, and long-term public access concerns. Until these issues are addressed and resolved, any transition to an electronic depository program is incomplete and will result in a significant loss of access to government information by the public.

Section 3. Requirements for Depository Libraries.

Depository libraries in the past have fulfilled the requirement for providing public access and service with outstanding commitment. The transition to a predominately electronic program, however, imposes new and significant responsibilities and costs. It is questionable that the premise that each depository library, even small selectives, would be able to provide public access and service to all materials to which the locator service links. Assuredly, a program library must meet and probably exceed the proposed minimum technical guidelines in order to provide adequate public access. However, a program library should have the flexibility to provide expertise and service depending on their own user community needs and collection strengths. The draft language suggested to expand 44 U.S.C. 1909 is vague and not sufficiently specific to provide guidance for designation of program libraries.

Section 4. Notification.

It is important that the draft language notification requires that an agency inform the Superintendent of Documents when an information product or service is initiated, substantially modified, or terminated. This provision parallels the notification requirement of the Paperwork Reduction Act of 1995 and is necessary in order for GPO to provide bibliographic access and to coordinate permanent access to agency electronic information services. The notification requirement will enable GPO to provide full and timely bibliographic access to these products and services so that the public can derive the maximum benefits from the value of the information.

Section 5. Compliance Issues.

In order to meet the stated principles and goals of enhancing the public's access to information through the use of electronic products and services, legislative language is needed to ensure agency compliance in all three branches of government. Agencies must have adequate and positive incentives for participation in the program but there must also be penalties for non-compliance.

Section 6. Cataloging and Locator Services.

GPO's coordinating role of providing users with a catalog of Government information products and services, and with the locator service should continue. The success of these endeavors is directly related

to whether or not agencies comply with the notification requirement. The public must be assured that the GPO cataloging and locator services are comprehensive and timely since these services will be a primary point of access to all electronic government information.

Section 7. Redescribing the Program to Reflect a Changing Environment.

The library community has long recommended that the FDLP program be renamed to become more meaningful to the general public. The suggested new language, "The Federal Information Dissemination and Access Program," was in fact introduced during the Chicago Conference on government information and more recently supported by the library associations in the *Enhanced Library Access and Dissemination of Federal Government Information: A Framework for Future Discussion*.

TASK 7: Survey Federal Agencies to Identify CD-ROM Titles Not Currently Included in the Federal Depository Library Program. (Attachment D-6)

ABSTRACT: Task Group 7 surveyed government agencies regarding their inclusion of CD-ROM products into the FDLP. Possible solutions to the problem of agencies' bypassing the FDLP with important CD-ROM titles are: improved communication with agencies; more precise language in Title 44 to recognize that electronic information falls within the scope of the program; and better cooperation between the agencies and the FDLP to ensure that software licenses are negotiated for FDLP libraries. It is very alarming to learn from the survey that over half of agency CD-ROM titles fall outside of the FDLP.

Task 7 addresses the need for empirical data regarding agency participation in the FDLP. It surveyed federal agencies to determine reasons for not including CD-ROM titles in the program. Responses to the survey indicate that the three most important reasons for non-participation in the FDLP were agencies' lack of understanding of the requirements of Title 44 as they apply to CD-ROMS; restrictions imposed on software licenses negotiated by agencies for their CD-ROM products; and lack of communication between GPO and the agencies concerning inclusion of their products in the program.

Unfortunately, none of the agencies who responded to the survey gave any specific reasons for participating or not participating in the FDLP. The survey concluded that 55.6% of agency CD-ROM titles were identified by agencies as not included in the program. This means that almost half of the CD-ROM titles are not readily available to the public at no fee at their depository library. Responses to the survey were also incomplete, making it difficult to make predictive and prescriptive statements based solely on this data. Because of this situation, the Task Group also used data obtained from ACSIS and compared it to the survey results to see if GPO has distributed any titles which agencies indicated were not included in the program.

Given the responses to the survey, better communication with the agencies regarding their responsibilities for making their CD-ROM products available to the FDLP is of paramount importance. Although the study recognizes that the language in Title 44 includes CD-ROM products, the definitions in sections 1901 and 1902 should be strengthened in order that agencies share this recognition. Software licensing is another area which should be addressed by both the agencies and by GPO. As Task Group 7 points out in its report, "GPO can (and has) contracted for software licenses for sales and depository copies when agency licenses do not cover GPO dissemination."

Fostering better communication between GPO and the agencies hinges on several assumptions, including the acceptance and recognition of the need for a central coordinating authority such as the FDLP to ensure dissemination of federal information products and services to the public through libraries. Furthermore, legislative changes to Title 44 would better enable agencies to include their CD-ROM products in the FDLP. Whereas the numerical data gained from the survey is instructive, even more interesting is the casual attitude taken by the respondents, both in some agencies' failure to respond to the survey and in the inaccuracy of some of the data provided. As the Task Group concludes, "a program of improved communication or outreach to agencies may be necessary to ameliorate this situation." As with other aspects of the study, implementing this conclusion is predicated on the assumption that adequate funding is provided to the program.

The issues raised by this task group become even more important as individuals and organizations are increasingly turning to CD-ROMs as a permanent solution to the problem of access to government information after its usefulness in the online environment or on the web has decreased.

TASK 8A: Evaluate the costs and benefits involved in converting Congressional bills and resolutions to electronic formats for distribution through the Federal Depository Library Program. (Attachment D-7)

ABSTRACT: Alternative B eliminates microfiche distribution of Congressional bills and resolutions in favor of a monthly cumulative CD-ROM containing the PDF files. The option of selecting these important materials on CD-ROM would allow the public to access them in a cost-effective and user-friendly manner. The final annual cumulative version would provide libraries with assured access to older materials that might be withdrawn from the GPO server. Depository libraries would also have timely access to these important materials in PDF files through GPO ACCESS. It is important that Congressional bills and resolutions be accessible through mirror sites in order to provide the depository library community with a sense of security that online access to recent Congressional bills and resolutions would be available at all times.

The distribution of Congressional bills through the Federal Depository Library Program (FDLP) began with paper distribution. At the beginning of the 97th Congress in 1981, the distribution format for Congressional bills changed from paper to microfiche. Although there were concerns expressed about the suitability of microfiche for this important category of depository library materials, the switch to microfiche distribution enabled many libraries to more easily maintain collections of Congressional bills. A paper finding aid, arranged by category and then by bill number, provided a finding tool for locating the text of Congressional bills within the microfiche collection.

Today, the availability of online services and CD-ROM technology provides the opportunity to explore other avenues for dissemination of Congressional materials, including Congressional bills. These options have been explored in the report on Task 8A which had as its mission to, "Evaluate the costs and benefits involved in converting Congressional bills and resolutions to electronic formats for distribution through the Federal Depository Library Program."

The task force report states that Congressional bills on microfiche are selected by 859 depository libraries at a cost of approximately \$94,940.00 per Congressional session. 544 depository libraries select the electronic version of bills available through GPO Access. Although 544 libraries officially select Congressional bills in electronic format, it is safe to assume that some depository libraries are making use

of Gateway Libraries, or directly accessing the GPO World Wide Web site. It should be noted that it is currently possible to select both microfiche and electronic Congressional bills.

Alternative A: Eliminate all microfiche distribution to depository libraries and make Congressional bills and resolutions available online through the WAIS server. The PDF files for the bills could also be mounted for FTP download.

Providing online access to Congressional bills would enable those libraries that are technologically capable to benefit from access to current Congressional bills. Many depository libraries are fully equipped to access the GPO WAIS server via the World Wide Web and/or telnet; however, a large percentage of depository libraries are not technically capable of doing so. All depository libraries should be able to access this important source of public information. While the microfiche may be difficult to read and is not arranged strictly in numerical order, it is useable and patrons can access the materials they may need. While technologically-capable libraries may provide electronic access to current Congressional bills through GPO Access, how difficult will it be for a library to provide access to the older materials that will need to be withdrawn from the server because of space considerations? Will this interface be transparent for the user?

As noted in the disadvantages to this alternative, the Task Force stated that, "If depository access to historical files is to be ensured, a less costly and longer term distribution method will be needed to supplement online access to the bills. This may mean production of a CD-ROM or mounting of the PDF and ASCII files for FTP downloading after a predetermined period of time." Providing access to Congressional bills solely in an online environment will negatively affect the ability of many depository users to access both the current files of Congressional bills as well as retrospective files that may be housed at separate locations.

Alternative B: Eliminate microfiche distribution of the Congressional bills and resolutions in favor of a monthly cumulative CD-ROM containing the PDF files. Depository libraries would still be able to access the online service.

This alternative provides an economic and user-friendly approach to distributing Congressional bills and resolutions. It is estimated in the draft report that GPO would save approximately \$34,032.00 if this approach to dissemination of Congressional bills were adopted. While saving costs, this approach would also provide a useful product with the ability to search and download the text of Congressional bills. At this time, libraries need to use other finding aids, often commercially produced, to determine the location of bills they need. The 1995 Biennial Survey indicates that 83.1% of all depository libraries have CD-ROM capability. This percentage makes it reasonable to expect that depository libraries would select a CD-ROM product if it were available. A monthly cumulative CD-ROM will eliminate the filing and storage problems associated with the microfiche bills. In addition, if kept on a regular schedule, a monthly CD-ROM product would be more up-to-date than the current microfiche distribution, which has been subject to contractor delays. As Internet technology becomes more stable, and as depository libraries meet minimum technology requirements for participation in the FDLP, it may become unnecessary to produce a monthly update and an annual CD-ROM may suffice.

TASK 8B: Evaluate the costs and benefits involved in converting Congressional Documents and Reports to electronic format for distribution through the Federal Depository Library Program, even

though currently a substantial amount of the source data is not available to GPO in machine readable form. (Attachment D-8)

ABSTRACT: The Congressional documents and reports have provided a significant, ongoing, historical record of the work of Congress. Both the bound paper version and the individual slip versions of this material has been distributed through the Federal Depository Library Program (FDLP). A combination of Alternatives A and C would provide comprehensive access to this valuable information. Depository libraries would have timely access to most of the recent documents and reports through GPO ACCESS; older materials would be accessible either through CD-ROM or the bound paper Serial Set. For the electronic product to be useful though, Congress needs to determine what it considers the authoritative version to be.

Task 8B is to evaluate the costs and benefits associated in converting Congressional Documents and Reports to electronic format for distribution through the Federal Depository Library Program. This effort must be examined in conjunction with the production of the U.S. Congressional Serial Set. It is important to keep in mind that these are two distinct series. The individual slip documents and reports are produced first; the bound Serial Set volumes are produced much later.

The U.S. Congressional Serial Set comprises a significant portion of the historical record of the work of Congress. The legal basis for compilation, binding, numbering and distribution of the paper bound Serial Set is contained in 44 USC sections 701, 719 and 738. The Serial Set currently includes Senate and House documents, congressional committee reports, presidential and other executive publications, treaty materials, and selected reports of nongovernmental organizations.

At present, every depository library is eligible to receive both the slip publications and the bound Serial Set in either paper and/or microfiche format. For the 101st Congress, 1st session, the cost to GPO for producing and distributing the Serial Set was \$1,567,000. This figure covers 463 libraries receiving the Serial Set in paper and 755 libraries receiving microfiche.

The conversion of documents and reports to electronic format is problematic at present. While a high percentage of the reports are available in machine readable format, only 20% of the documents are received from Congress in this format. In order to be put online, GPO has to scan the materials to convert to a machine readable form. Unfortunately, this does not always work resulting in a non-searchable image file only. In order for this process to be effective, GPO will need to receive all reports and documents in machine readable format at the start. In addition, some documents are too graphic-intensive to ever be converted to electronic format.

With this in mind, the Working Group has proposed three dissemination alternatives in Task 8B. All three alternatives continue the production of a bound paper Serial Set, although alternatives B and C only allow regional depository libraries to receive copies. The Serial Set is a very important compilation and a key historical record to providing an ongoing collection of the publications of the U.S. Congress.

Alternative A: This option provides regional depository libraries with the bound Serial Set and the slip Documents and Reports through online access as well as in a CD-ROM version. Selective depositories could choose online access to the slips in lieu of either paper or microfiche. Selective depositories would also be able to select either the bound Serial Set or the Documents and Reports CD-ROM.

Alternative B: Alternative B provides the bound paper Serial Set only to regional depository libraries. Selective depository libraries would have the ability to select the Documents and Reports CD-ROM, which would be issued quarterly, cumulating for the session. All libraries would have the option of accessing the reports and documents online from GPO Access.

Alternative C: This option would supplement Alternative B by providing the option of distributing paper copies to depository libraries of any Documents and Reports too graphically intensive to practically convert to electronic format.

The value of this collection of Congressional materials is considerable. The Working Group may wish to consider a combination of A and C to provide optimum public access. All depository libraries that perceive a need for the paper bound Serial Set should be able to continue to receive it. The individual slip documents and reports, except for those too graphic-intensive, would be available online until the quarterly Documents and Reports CD-ROM is distributed to all libraries. Whichever alternative is chosen to provide the slip documents and reports through the FDLP, there is one issue that Congress still needs to address--what is considered the authoritative version of the reports and documents? Will an online version be considered the authoritative version? Will the CD-ROM version? In conjunction with this issue is the need to guarantee the authenticity of the electronic version.

TASK 8C: Determine the costs and the impact on public access to the Department of Energy (DOE) technical reports through the FDLP as the Office of Scientific and Technical Information (OSTI) moves forward with its efforts to convert these reports from microfiche to electronic format. (Attachment D-9)

ABSTRACT: The Department of Energy's Office of Scientific and Technical Information (DOE/OSTI) is switching from microfiche production to a wholly electronic method of dissemination. The production of a fiche format is expected to end after FY 1996. At that time DOE/OSTI will be entirely electronic. The Department of Energy is committed to providing access to these valuable materials through the FDLP. Alternatives A and B propose making DOE/OSTI reports available through their Web site which would provide very timely access although because of the large number of image files, downloading would be very slow. Alternative C proposes access through CD-ROMs which would not be as timely and would require comprehensive cumulative keyword indexing. Depository libraries, particularly Regionals, should have access to both formats with reliance on the Internet for the most recent reports, and on the CD-ROM for older materials.

DOE/OSTI materials have caused many libraries, especially regionals, space problems due to the large number of microfiche sent each year. During FY 1995 17,117 unique reports were shipped out to those depository libraries that selected them. In discussions over the past few years depository libraries have tried to find ways to ease the burden of storing all of these fiche. Some suggestions have included having only a few libraries receive these materials and furnish copies to the rest of the system and another area that has been discussed, especially in Regional meetings, is to have fiche on demand, i.e., only provide fiche titles upon request from individual libraries. It was assumed that this would be less costly

than providing large number of libraries with all of the titles. Having this material on demand electronically would solve all of the space problems and potentially make the reports more timely.

At the moment GPO and DOE/OSTI have a shared agreement that GPO pays only for the distribution costs for DOE reports. DOE pays for producing the fiche and for the depository copies. They also agree to fulfill missing publications claims and provide abstracts and indexing services for the reports (GPO does not catalog these publications or list them in the Monthly Catalog). The DOE/OSTI has been very cooperative in meeting depository library needs and has been a responsible agency in terms of participation in the program to provide DOE information to the widest number of users possible. The task force report states on page 2 of Attachment D-9 that DOE/OSTI is committed to providing access to DOE reports free of charge to depository libraries regardless of any policy decision they make concerning general public access. This is a most commendable public service position for the DOE to take and the Depository community appreciates their efforts on our behalf to ensure that we are included as a part of their information process.

This case study gives three dissemination alternatives. The first two, alternatives A and B, are virtually the same except for who pays for the costs. In these two scenarios DOE/OSTI allows depository access to the reports Web site. No fiche, paper copy, or CD-ROM would be available through the Federal Depository Library Program (FDLP). Cost savings would accrue to both agencies. Additional libraries would be able to serve the public with electronic access to this DOE Web site. The scenario further states that just-in-time access is provided instead of just-in-case access. In alternative A DOE/OSTI pays for the computer resources, user support, and depository library usage. In Alternative B incremental costs for FDLP usage would be paid for by GPO from their Salaries and Expenses appropriation. In both cases the study states that one disadvantage that users who access the Web site through a modem would have is trouble downloading because of the large size of the image files--a problem that Internet users would not have to the same degree although it too can be very slow. Also in both cases each agency might find increased costs due to unlimited usage.

The advantage to the FDLP is ready access to reports on a potentially more timely basis. Libraries would not have to provide long term storage for this material and the library would only obtain the titles that their patrons actually needed. The disadvantages would be the same as raised in other areas concerning on-line electronic material, i.e., increased costs to library for hardware, problems of downloading big files, abilities of library and patrons to use electronic information, and concerns over long term archiving and public access issues (which are not addressed in this case study). Also Internet access may require local software, i.e., Adobe Acrobat or something similar, to view documents and the depository libraries may also have to distribute copies of such software to users to take with them to read the material.

In Alternative C DOE/OSTI reports would be made available to the FDLP only on CD-ROMs and not on-line through the DOE Web site. These CDs would be packed with DOE reports in random order (DOE/OSTI estimates approximately 125 title per CD). GPO would premaster the CD-ROMs from DOE image files. A key benefit of this alternative is that depository libraries are better able to handle CD-ROMs than Internet sources (the 1995 Biennial Survey shows 83% of FDLP have stand-alone workstation with CD-ROM). Also CD-ROM access means that there is no reliance or strain on the DOE Web site (DOE experiences no additional loads on their computer resources) and extended access is provided all across the country at FDLPs. Downloading large image files would be easier on libraries using CD-ROMs than through a modem. The stated disadvantages are that CD-ROM access would not be timely, additional expenses would be incurred by GPO in creating and maintaining indexes to each CD, and those FDLPs that do not select the DOE CD would still have to rely on those that did. Also GPO would probably have to

consider comprehensive cumulative keyword type indexing to compete with the quality of Internet access.

Another consideration not addressed is that creation of DOE reports on CD-ROM would call for some software package to access and use the files on CD. Such a software system should be user- friendly and place no additional burdens on depository staff and hardware, nor impose any copyright-like restrictions. Also the library may have to provide copies of the software to their users in order to make viewing possible at home.

Another possible scenario not proposed in the draft report is that DOE/OSTI and GPO cooperate to extend access to depositories in both formats, especially to Regionals. This would give timely and current access to DOE reports through the Internet and would allow Regionals or some other selected group to select and house a less timely CD-ROM version for storage. This, of course, would be more expensive to the agency and/or GPO but would offer some choices to depositories, and make downloading of big files easier and faster. Perhaps some costs could be saved by offering Internet for current materials and CD-ROM access for older material.

Finally the case study leaves three issues not addressed. The first and foremost concern is the one that seems to bother depository librarians the most: that is there is no mechanism or policy to ensure extended, long term public access to a agency Web site or that the data will be maintained on any WWW site. If this problem were resolved and the FDLP was assured that this type of access would be guaranteed then the major arguments against Internet access could be laid to rest and libraries could get on with solving the hardware and access burdens that such electronic access causes them. Another concern is that Web sites are intended to serve the agency's major constituency, and providing public access through the FDLP places additional burdens on the agency's equipment, staff, and resources. If this burden is too great or has not been given a great deal of study by the agency, it could lead to a change of heart by the agency and result in restricted access or the imposition of user fees, etc. Last but not least, the study points out that agencies must understand that access through the FDLP means that their services should be designed for multiple simultaneous users from the same library without limitations such as single-user passwords.

TASK 8D: Identify issues that must be addressed when an agency no longer makes electronic information dissemination products and services available at its Web site, and the site contains information that needs to remain available to the public through the Federal Depository Library Program (FDLP) and/or transferred to the National Archives and Records Administration (NARA). (Attachment D-10)

ABSTRACT: Task Group 8D recognizes that the Office of Technology Assessment (OTA) exemplifies the case study of an agency no longer maintaining its Web site (in this case due to the agency's demise); furthermore, in this particular situation, the Web site includes reports that have not been formally published. The task report affirms that agency Web sites, which may contain information not available in any other format, "...are in essence forms of publication and therefore may be Federal records as defined by 44 U.S.C. 3301."

The Task 8D report states that GPO is primarily interested in providing continued short-term access (5 years minimum) for much of the information on agency Web sites, while NARA focuses narrowly on that portion of the information which has historic value, with the goal of assuring preservation of that information. This is an oversimplification of the goals of the FDLP, since the Regional depository plan was

developed primarily to guarantee permanent retention and access to the information distributed through the FDLP. Since the Task Force Report emphasizes shifting the responsibility for permanently maintaining and providing access to government information from depository libraries to the federal government, there is concern that: 1) some federal government information may "fall through the cracks" and eventually disappear, perhaps, for example, because it has not been saved in the GPO electronic storage facility, it has been lost in the transfer of data from one site to another, or it does not meet NARA's criteria for historic value; and 2) that there will continue to be adequate bibliographic control of this information for both retrieval and inventory purposes. Task 8D repeatedly addresses these important issues.

The report suggests two dissemination alternatives for GPO regarding OTA electronic files, with the understanding that: 1) OTA has already made arrangements to mount information from OTA Online on GPO's Web site; and 2) OTA also has a contract to scan all the texts of their reports dating from 1972 and convert to Acrobat PDF format; these files will be packaged along with much of the information available via OTA Online and some additional historical material on a set of five discs. Alternative B, which would have the OTA CD-ROM set distributed to depository libraries, and after a predetermined period of time, OTA information would be removed from the GPO Web site, is more cost-effective and has fewer disadvantages/problems than Alternative A, which has GPO maintaining the OTA information on its Web site as well as distributing the CD-ROM collection upon completion, with no plan for permanent retention of the OTA files. The Task Group may wish to consider a third alternative which effectively combines Alternatives A and B, but has GPO transferring the OTA files to NARA for permanent retention, after the CD-ROM set of OTA reports has been completed and distributed to depository libraries. This would eliminate the problem of NARA not accepting the CD-ROM set because it uses the PDF software-dependent format, and also would allow NARA to accession only those files which were unique or of historic value, knowing that a complete set of files was available through the FDLP.

Regarding the appraisal alternatives, Alternative A, which would have NARA accession the records of the persons/committees responsible for maintaining agency Web sites, with the idea that these records would reflect the content and structure of the site, is less satisfactory than the other alternatives offered. The 8D report admits that "This option...ignores the possibility that in the future, the information posted on the Web site might not appear in any other format...[so] it is necessary not only to appraise the records of those maintaining the files, but the files on the Web site itself." This is a real situation; the FDLP already has begun to distribute federal information solely in an online format.

While Alternative B, which has NARA accessioning all files within a Web site, is more comprehensive than Alternative C, in which NARA would accession selected files, there are potential problems involved in documenting the huge amount of files and links within some agency Web sites. However, there are also problems with Alternative C in which NARA would determine which files may not exist in any other format as well as which files have historic value, in order to decide which files to eventually accession.

One of the major issues identified in the 8D report is permanent FDLP access to electronic information dissemination products and services. The report asks "If information already has been distributed in paper, microfiche or CD-ROM does it make sense to provide continued online access to the information?" Yet in Alternative B in the OTA scenario, where the CD-ROM set of OTA reports would be distributed to depositories and the OTA information would be removed from the GPO Web site, it is considered a disadvantage for public access to the reports to be available only at or through depository libraries. GPO and NARA should work closely together to determine the best method of ensuring permanent FDLP access to government information. The concept of transferring responsibility for permanent retention/access from depository libraries to federal agencies may need to be revisited with the intent to consider compromises

that fall between the two extremes. For example, one possibility might be for the FDLP to establish Regional electronic depositories which would be responsible for storing and providing access to information contained on federal agency Web sites; NARA would be able to select only those files considered to be unique or of historic value for retention in the National Archives.

The Task Group has brought an important issue to the forefront, especially since the report also states "If an agency decides to discontinue access to information through their Web site, does GPO have a responsibility to obtain the information and provide funds and resources for its continued access through the FDLP?" Since NARA is not mentioned in the discussion of this issue, there certainly is an implication that either depository libraries and their patrons (the public) should not necessarily expect to obtain access to this information through the National Archives, or, depositories and their patrons will not necessarily find the information as easily located and retrieved from NARA as it is through the FDLP. GPO and NARA should consider all of the federal information needs of the American public in order to determine the best arrangement the two agencies can work out between themselves and among all federal agencies to ensure permanent public access to electronic federal government information.

TASK 9: Evaluation of issues surrounding inclusion in electronic formats of materials not traditionally included in the FDLP in either paper or microfiche. Examples include: Federal district and circuit court opinions (Task 9B), SEC filings (Task 9A), patents, military specifications and a variety of other scientific and technical information (primarily contractor reports). (Attachment D-11).

ABSTRACT: The Working Group is commended for evaluating alternatives for improving access to these valuable materials through the Federal Depository Library Program. The materials considered in the Task 9 report have generally not been distributed through the program and yet the information clearly meets requirements for depository distribution. Cost considerations and other factors have restricted its dissemination through the FDLP although other similar material is distributed. It would enhance public access and be extremely useful to make STI (scientific and technical) data available electronically through the program. However, the imposition of copyright-like restrictions on the electronic dissemination of this data is very problematic.

The types of information considered in Task 9--patents, military specifications and standards, Congressional Research Service Studies, and scientific and technical information such as EPA technical reports and guidelines, DOD technical reports and NTIS reports--include resources of enormous importance to scholarly and industrial research and development. It is very helpful that the Working Group evaluated several alternatives for improving access to these materials through the FDLP. The materials considered in the Task 9 report have generally not been distributed through the program. Many are similar in nature to report literature, such as Department of Energy and NASA reports, which have been part of the FDLP. Patent literature has been available through a separate and more limited patent library depository program. It would be highly desirable to improve access to patents, specifications and standards, CRS Studies, EPA and DOD technical report literature through the FDLP. The information available clearly meets requirements for depository distribution; cost considerations and other factors have restricted its dissemination through the FDLP although other similar material is distributed.

Voluminous materials such as specifications and standards, patents, and STI (scientific and technical information) seem ideally suited to on-demand electronic delivery because of the costs and space required to disseminate, house and maintain either a paper or a microfiche collection. Any given report,

specification or patent may be used infrequently, although the cumulative use of the collection may be high.

Not addressed in the Task 9 report is the issue of bibliographic access to these voluminous collections of STI materials. Increasingly, print indexes are being discontinued and are not necessarily being replaced by improved electronic versions. In the case of NTIS, its primary catalog and index is now privately produced and is not available in an electronic version at no cost. By contrast, the Patent and Trademark Office is greatly improving access to its materials through online electronic indexing and abstracting. In order to avoid losing our national research heritage, the cumulative results of millions of dollars of investment of public and private funds, maintaining both bibliographic access and access to the print or electronic versions of the documentation itself is important.

A major obstacle to FDLP dissemination of these valuable resources is the cost-recovery basis under which some agencies operate. Ideally, agencies should be funded to a level to permit no-fee distribution, at least to depository libraries, and to make charges to others based on the incremental cost of dissemination. In an electronic environment, such considerations have led agencies such as NTIS to propose the imposition of copyright-like restrictions on electronic dissemination of data. Relatively few NTIS publications are popular enough to sell enough copies to turn a profit and it would be possible for competitors to skim off and sell their own copies of popular titles. NTIS and other agencies are also concerned that if a depository library made an electronic publication freely available, the agency's own market would be negatively affected. Similar fears of negatively impacting the market for print or microform materials have not materialized. The proposal outlined by NTIS would impose copyright-like restrictions on the use and manipulation of government information.

Dissemination alternatives: In evaluating alternatives for dissemination, it should be assumed that no one alternative is appropriate for all the types of information discussed under Task 9. Also, it is critical that long-term access to and preservation of printed and electronic information be ensured. Alternatives C and D, which involve the Government Printing Office in the distribution process, would provide long-term access. Similar guarantees should be assured for any alternative selected.

Alternative A and B: Alternative A provides that agencies would make their own information available for dissemination through the Internet, at no cost to the user. The GPO Locator would direct users, including depository library users, to the agency site. Alternative B is similar, except that agencies would charge a fee for their information and GPO would negotiate an agreement to pay the costs of online access for depository libraries. The agreement could include limitations on number of users or on remote access via library networks, but would not include copyright-like restrictions on use or re-use of information.

Alternative A and B may be appropriate for voluminous data such as patents and information under the custody of NTIS or DTIC. Both alternatives would greatly improve access to materials which have never been available through the FDLP, and in both instances, the FDLP would provide assistance to users in locating and using the data. It is also true that displaying and printing extensive documents with tables and graphics will not be easy, and both libraries and end-users will need to acquire appropriate equipment, software, AND experience in making this information accessible. Even when information is disseminated at no fee, the costs to users will be significant.

Among the disadvantages of both alternatives would be that public access will put additional loads on agency computing and telecommunications resources as well as on support services. Nearly 1400

libraries could be potential users and would need access training and support.

In the current budgetary environment, it is unrealistic to expect that Congress will elect to completely subsidize the Internet dissemination of patents and STI. Thus no-fee access through the FDLP would be a substantial improvement in public access. Other data, such as specifications, are currently available at no cost and should continue to be, since electronic distribution may be a more cost-effective alternative for the agency.

Alternative C: This option provides that GPO would establish a database of information from agency sites which is tailored to the FDLP. This alternative would relieve agencies of concerns about unauthorized access to other information in its files, as well as the user load on its systems. It would also provide a desirable redundancy of access, maintaining availability of data in the case of damage at another site. Because of the voluminous nature of some of this information, it may not be economically feasible for GPO to create and maintain a separate database. However, for less extensive materials from agencies with security concerns, this alternative could be ideal. Under Alternative C, the standard interfaces GPO could offer, and the additional bibliographic access it might provide, would be important contributions to effective use of the information.

Alternatives D and E: In Alternatives D and E, GPO would distribute information downloaded from online sources to the FDLP in CD-ROM format, either produced by agencies (D) or GPO (E). CD-ROM distribution is the least desirable alternative, for a variety of reasons: the time delay in distributing the CD-ROMS; the sheer number of CD-ROMS that would need to be distributed; the difficulty in locating the required data on the CD; and the inability to update material distributed in CD-ROM format. Long-term access to these materials must be ensured. At present, CD-ROMS may offer an edge in terms of long-term access, but they do not provide the kind of on-demand access that may be more appropriate for large collections of data in which any given title receives little use.

Alternative F: This option was proposed by the National Technical Information Service after the completion of the Task 9 report. It is a variation on Alternative B, in which the information is available from an agency site, for a fee, but without the involvement of the Government Printing Office. It is a unique model in that valuable materials would be made available to the public for the first time through depository libraries, and yet the materials would not be an official part of the FDLP. The NTIS proposal requires an agreement from participating libraries not to release the electronic file outside the library or use it for commercial purposes. Such a restriction is necessary, according to NTIS, to assure that depository access and use do not infringe on the agency's own market. At the same time, this in effect amounts to a copyright-like restriction on the downstream use of these materials and would put librarians in the position of having to limit or even police the use of these materials.

On one hand, this overture from NTIS should be viewed as an opportunity to make important STI materials more readily available to the public through depository libraries. On the other hand, the proposal places restrictions on the use of government information that are expressly prohibited in Principle 5 of the draft report and indeed in the Paperwork Reduction Act. Of concern with the NTIS proposal is that it might become an accepted model for other electronic government information services. Therein lies a grave danger to the public's no-fee access through the FDLP. It is a serious issue which requires Congressional study and review.

Regarding the NTIS proposal, it would be useful for the pilot project to be carefully developed with input from the depository library community and the NTIS Advisory group. This is a very important

undertaking that will add valuable materials to the program. Libraries will have a great deal of work to do doing the pilot project to establish mechanisms for printing documents. The pilot project should be useful for testing mechanisms of delivering material electronically to individual users that would not damage NTIS's market.

TASK 9A: Evaluate issues surrounding inclusion of the Securities Exchange Commission (SEC) EDGAR System in the Federal Depository Library Program when the information is not already included in paper or microfiche format. (Attachment D-12)

ABSTRACT: It is commendable that the SEC has taken full advantage of WWW technologies to provide no-fee access to the EDGAR database, a valuable public resource to company records. Task 9A proposes two alternatives for public access to EDGAR through the FDLP: the first suggests using the GPO Locator service to enhance the public's ability to access EDGAR through the Internet but does not address the need for multiple mirror sites nor the long term need for ready access to historical EDGAR information; the second, the distribution of CD-ROMs, may resolve the multiple site access and long term storage issues but would add expense and rely on a technology that may soon become outdated. Both alternatives have merit but a combination of both may be most desirable. A third alternative could be considered, not to replace the others, in which libraries, community civic networks, library consortia, and other not-for-profit organizations form partnerships with federal government information producing agencies. These partnerships will assure ready and timely access to EDGAR resources through redundancy of access to the information, as well as long term preservation of this important information.

The 9A Task Group has selected the SEC EDGAR System as an model of using the Internet to increase public access to electronic information. The commitment of SEC Chairman Arthur Levitt to resist pressure to privatize the EDGAR System and post it directly to the WWW serves as a model for other federal information providers. Appropriately, with the advent of Internet access, Chairman Levitt has concluded that the SEC has the responsibility to make these materials equally available to the public--individual users, libraries, and the private sector.

In the draft study, Task 9A describes two alternatives for providing access to SEC EDGAR information. In the first, access to the EDGAR system would be strictly online; GPO and depository libraries would incur little expense. It is assumed that GPO would add value through sophisticated indexing in its Locator service which would be used by the public, libraries, and private sector information businesses alike. The FDLP ensures that the knowledge and skills of government information specialists

are available in all Congressional districts to assist and train members of the public unfamiliar with accessing federal information. In this alternative the SEC and the public derive significant value from GPO indexing and depository library assistance at very little expense.

A key concern with Alternative 1 is long term access to EDGAR records. The FDLP has traditionally guaranteed long term access to federal publications through regional depository libraries. Alternative 1 suggests no mechanism that will assure the ready availability of government publications that have been provided through regionals. Though the SEC is engaged in negotiations with NARA to schedule retention of EDGAR materials, we are concerned that access to archived federal information is less immediate through NARA than it is through regionals.

A second key concern raised in Alternative 1 is redundancy of access--that is, the availability of access through more than one source in the event that the primary channel (in this case the SEC) is interrupted. Given current Internet capacity and technology, disruptions of service are not uncommon. The stability of individual systems is also at best uncertain, as typified by system crashes and power failures. This option provides no alternative for accessing EDGAR data in the event that the SEC data platform is incapacitated or regions of the country are unable to connect via the Internet to SEC databases.

Alternative 2 proposes the tangible distribution of SEC data to depository libraries on CD-ROMs and provides a possible solution to both problems of long term access and lack of redundancy. By depositing EDGAR data on CD-ROMs in regional depositories--or some other sub-set of depository libraries--complete sets of EDGAR information will be available at no-fee from multiple sites. These libraries would accept their traditional responsibilities for maintaining the information and providing it to the public either directly or through other depository libraries. As major players in the increasingly electronic information universe, they would bear the responsibility for migrating the data to new media as information storage technologies evolve. In this way, multiple sites would provide long term access to EDGAR information resources. We recognize that this alternative incurs potentially significant expenses. However, the value added by these costs in terms of the free flow of federal information to the public warrants the investment.

A possible third alternative would be the establishment of partnerships between the SEC and individual libraries, library consortia, library associations, community networks, or other not-for-profit organizations. In such partnerships the partner libraries would operate under agreements with the SEC to serve as no-fee mirror sites for the EDGAR database; provisions for long term access would be included. The federal agencies responsible for guaranteeing public access to federal information, such as the GPO, NARA, and OMB, would provide guidance and coordination in drawing up such partnerships. In this alternative the value of EDGAR is still guaranteed to the public but at little expense to the federal government. Partner libraries would accept this responsibility as a part of their mission and service to their constituencies, and with the understanding that many other libraries are embarking on similar arrangements to provide no-fee access to other federal, state, and local government information resources.

Overall, Alternative 2 provides needed dependability and resolves the important questions of long-term and redundant access associated with the strictly online scenario proposed in Alternative 1. However, the increased expenses associated with Alternative 2 may suggest that additional models, such as that of partnerships with no-fee mirror sites, be explored.

TASK 9B: Evaluate how United States Court of Appeals published slip opinions might be included in the Federal Depository Library Program (FDLP) electronically, although they have not been a part of the FDLP in either paper or microfiche format. (Attachment D-13)

ABSTRACT: United States Courts of Appeals slip opinions have not previously been included in the Federal Depository Library Program (FDLP). We believe that incorporating the electronic version of these slip opinions into the FDLP is consistent with the view of the Senate, expressed in Senate Report 104-114, that advances in technology provide new opportunities for enhancing and improving public access to Government information. The development of depository access should be based on new and emerging Internet technologies, and not on the outdated bulletin board systems which are rapidly becoming obsolete. In order to provide an electronic product that would be useful to the public, any option selected must be able to guarantee the authenticity of the opinions and ensure the provision of long term access to this essential public information.

In a letter dated February 16, 1996, the American Association of Law Libraries (AALL) provided comments on the Task 9B report which investigated the possibility of including U.S. Courts of Appeals slip opinions electronically in the Federal Depository Library Program (FDLP). We appreciate the fact that you took these comments under consideration and were very pleased to see that many of them were incorporated into the latest draft Task 9B report. The Courts of Appeals slip opinions have not, to this date, been included in the FDLP. Incorporating electronic slip opinions into the FDLP is a perfect example of the use of advances in technology to provide new opportunities for enhancing and improving public access to Government information. (S. Rep. No. 114, 104th Cong., 1st Sess. 48 (1995)). Our associations endorse the inclusion of the slip opinions in the FDLP as a very positive step towards realizing the Senate's goal of improved public access. Although Task 9B is limited to U.S. Courts of Appeals slip opinions, we believe that it should serve as a model to provide the public with electronic no-fee access to the opinions of the Federal District Courts as well.

Whichever alternative is ultimately selected to provide electronic slip opinions through the FDLP, there are two important issues that need to be addressed. The first is authenticity. A means of guaranteeing the authenticity of the electronic version is essential. Law is a discipline which relies on precedent. Legal researchers, including legislators, attorneys, law students and faculty, and the general public, should all be assured that the information is both reliable and the most current authoritative version. The second issue is preservation and long term access. In Section 4, the draft report raises certain questions that need to be addressed yet it fails to suggest any answers. We believe that, as technology advances, the public has the right to a seamless transition from the slip opinion to the final authoritative electronic version. In addition, the government has the responsibility to ensure the permanent availability of the final authoritative version, at no cost to the public, and in a format that will be usable with future technologies, as current software and hardware become obsolete. We affirm the position expressed in the February 16 letter that options B and C are not viable. Both of these options rely on bulletin board systems (BBS), a model that has several disadvantages. First, BBSs use a technology that is rapidly becoming obsolete. In contrast, the Internet alternatives offer the advantages of speed of transmission and full text searching. Second, the BBS model is decentralized and lacks a single standard setting authority. With no central authority, the slip opinions are likely to suffer from a lack of standardization as it applies to file formats as well as search and retrieval software. In addition, this lack of standardization inhibits verification of authenticity and complicates preservation efforts.

The following comments on Alternatives A, D, and E are in addition to those expressed in the letter of

February 16, 1996.

Alternative A: GPO ACCESS

The success of this option, to provide slip opinions through GPO ACCESS, is dependent upon changes to Title 44 which would require the courts to supply GPO with the electronic slip opinions. Although the Courts of Appeals have historically been granted a waiver from the requirement to use the printing services of the Government Printing Office (GPO), such a waiver is not necessarily appropriate in an electronic environment, and would inhibit any efforts to provide comprehensive access to all of the slip opinions through the FDLP. In addition, to be effective, any such change to Title 44 must include adequate enforcement provisions. The use of GPO ACCESS would meet the Congressional goal of improving and enhancing public access to government information as long as GPO ACCESS remains available free of charge to the public. In addition, the GPO ACCESS option would provide one centralized standard setting authority in GPO. Preservation and long term access will however, depend on continued long term funding of the GPO ACCESS system by the Congress.

Alternative D: Judiciary Web Site

This option, to provide slip opinions on the Judiciary web site, would be an improvement over the current bulletin board systems since one central standard setting authority, presumably the Administrative Office of the U.S. Courts (AO), would be established. While this option would certainly be a technical improvement over the current decentralized system of BBSs, which we consider to be obsolete, no-fee public access must be ensured. Again, preservation and long term access will depend on funding and a commitment on the part of the AO to guarantee maintenance and archiving of the opinions. Alternative E: Consortium of Law Schools

The efforts of the law schools which provide Internet access to the slip opinions are notable because the consortium is committed to making them available to the public free of charge. Although this model is decentralized, there is evidence of law school cooperation (e.g., in the development of keyword searching across sites) that could be expanded to include standards for authenticity, preservation and long term access. Ultimately however, preservation and long term access will depend on the continued efforts of each individual law school.

TASK 10A: Review the effects of offering free public access to STAT-USA information products and services through the Federal Depository Library Program (FDLP). (Attachment D-14)

ABSTRACT: STAT-USA, a cost-recovery service within the U.S. Department of Commerce, produces business and economic information products, including the Economic Bulletin Board (EBB), the National Trade Data Bank (NTDB) on CD-ROM, and STAT-USA/Internet. These products are available through the Federal Depository Library Program (FDLP), and are among the most heavily used electronic government information sources at depository libraries.

This task report articulates the dilemma, from an agency's perspective, of trying to balance the competing mandates of cost-recovery and wide public dissemination. STAT-USA is the product of an agency that recognizes the value of including its information in the FDLP. But while the agency has cooperated with GPO to provide its products to the public through depository libraries, public access is restricted by current practices and pending changes to pricing and access policies. The federal

government should adequately fund public access to government information resources produced for public use, and must address the role of cost-recovery programs in the menu of public information dissemination services. Competing laws mandate, in some cases, that agencies both provide no-fee access to the public through depository libraries and at the same time recover costs for those same services. In addressing this apparent dilemma for self-funded agencies, Congress should, at minimum, reaffirm the public's right to no-fee access to government information through the FDLP. A broader public deliberation of the issues of "fee vs. no-fee" must take place in order to clarify these difficult policy and technical issues.

The list of tasks for the GPO study task groups included the key issue of fee-based services in the tenth task: "A review of Federal programs permitting or requiring the sale of information to recover costs, and the effects on efforts to assure free public access through the FDLP." This task addresses a central policy question, where emerging technologies are providing both opportunities for broader access and problems in identifying and recovering costs. While there are many examples of programs which fall into this category, the study includes only two case studies, STAT-USA (Task 10A) and MEDLINE (Task 10B). Since this is such an important and complex issue, it is one which requires additional data and consideration by Congress to reconcile conflicting policies and assure appropriate support for programs which carry out the government's information principles.

As a case study, the STAT-USA program is an excellent illustration of the problems faced by an agency which operates in a fee-based environment and yet wishes to provide a level of access to its materials through the FDLP. In trying to adapt the FDLP model for tangible products to the electronic environment, STAT-USA is facing the difficulties inherent in controlling the use of electronic information, which is easily networked and shared and hard to contain. Because the products from STAT-USA are enormously useful to FDLP users, the libraries want to provide the broadest possible access.

Carrying the traditional FDLP model into the electronic age is more complicated than it may seem at first. For example, the NTDB CD-ROM includes on it about 250,000 publications. Many of these represent materials which were formerly in the FDLP in paper. For each of these publications, a depository library received one copy without charge; if it wanted more copies, it could purchase them. At any one time, multiple users might be reading many of these multiple publications in a depository library. If the users wished to have their own copies of materials, they could buy them from government sources or pay for photocopies in the library. As printing ceases and publications are bundled onto the NTDB, the depository library still receives one copy without charge, but now it has thousands of publications on one CD. Unless the CD is placed on a network, the number of possible simultaneous users of these many publications is cut down to one. From the library point of view, networking of the NTDB provides a level of access similar to that provided in the paper environment, but from the agency point of view it could cut into the sales which are necessary to sustain the product.

The development of STAT-USA/Internet introduces additional issues. The Internet product is not identical to the CD-ROM. There are many time series and matrix tables on the CD which are not online, and these are of major interest to the research community, and thus should remain in the FDLP. But the Internet STAT-USA provides timely access and consistent searching, significant advantages for many FDLP users. The establishment of the Internet version has presented the agency with the challenge of registering users and controlling their use of the information they receive. The administrative problem of registering depository libraries was solved by the cooperation of GPO's Library Programs Service, which took over that responsibility, and that cooperative model deserves replication for other agency Internet services which might be added to the program.

Controlling the use of information is more problematic, and introduces the issue of asking libraries to enforce copyright-like restrictions on the use of government information which go beyond any controls libraries needed to impose on the use of tangible formats. Users have always been free to photocopy paper and fiche publications, and use the copies without restriction. Electronic dissemination provides the opportunity for much easier and broader redissemination, and this could undermine the relationship between publishing agencies and the FDLP. With paper and microfiche formats, no-fee use in depository libraries was not a serious threat to the sale of materials for individuals, organizations and businesses which wished to have the convenience of their own copies. STAT-USA is trying to replicate that model with the provision of one free password for use in each depository library, but the libraries are anxious to provide access to more than one user at a time through networking. Only one person in some congressional districts with only one depository library would be able to access this materials at any one time under this proposal. Since the Internet offers the opportunity to provide public access to government information when and where it is needed, the government needs to come to grips with the issue of support for that broad and beneficial access.

This same issue was faced by the GPO itself, which like STAT-USA had statutory language which permitted charging reasonable fees (for users other than depository libraries) for its online GPO Access system. After more than a year of experience with maintaining complex registration procedures and charging non-depository users for access, the GPO decided to make the entire system free to all users. The resulting changes in use and in costs and revenues for the GPO would provide useful additional data and should be incorporated into this study.

The two alternatives presented in the Task 10A report seem to imply that the NTDB CD-ROM would remain in the depository program since the contents are not all covered in the Internet version and the CD-ROM provides long-term access for information not included in the Internet version. The only real difference between the two alternatives is where the funding for the costs of Internet access would come from. Alternative A would fund depository access from other STAT-USA fees, since the agency no longer has sufficient appropriated funds to support FDLP participation. This might seem similar to universal service in the telecommunications field, where all users pay to support basic service for those who would not otherwise have it. It would succeed only if libraries could limit redissemination so that the income which supported the program was not destroyed, a delicate balance indeed.

Alternative B acknowledges that there is a cost to providing FDLP access to STAT-USA, and proposes that GPO would pay for depository access through its appropriated funds. This option includes some cost figures which may have been superseded by more recently-released fee schedules from STAT-USA, which propose higher fees for networking both the CDs and STAT-USA/Internet. The proposal to have GPO pay for FDLP access to fee-based government information services appears in several of the task reports and also in the GPO's Strategic Plan, but there seems to be little data on the actual costs which this might incur. From the user's point of view, the essential issue again is that the government should fund adequate public access to the information resources for which the American public has already invested.

The "Issues to be Addressed" section of this task group articulates the difficult problems of funding public access and the "fee vs. no-fee" controversy. Depository librarians see the great variety of uses made of data provided through STAT-USA, and are convinced that the public benefits from the broadest possible transfer of economic information, to new and established businesses as well as to students and researchers. To make such information totally fee-based would be contrary to the principles set forth in the

GPO study.

The challenge faced by agencies, the Congress, and depository libraries is to develop a new model for access to electronic government information, which will continue to provide the public with access to government information which is mandated in Title 44 and reinforced by many other statutes and directives. The tension and even conflict between statutes which require access and those which require cost recovery is exacerbated by new technologies, even as those technologies provide opportunities for more efficiency and better access. More deliberation of these vital public policy issues is necessary.

TASK 10B: Evaluate alternative for including the National Library of Medicine (NLM) MEDLINE data, available as an electronic fee-based service, in the FDLP. (Attachment D-15)

ABSTRACT: This Task Group has brought together GPO and NLM for a serious discussion of the issue of providing depository libraries with access to MEDLINE. Further discussions should take place regarding NLM's proposal for a pilot project with a limited number of depository libraries. Since Grateful Med is now available through the Internet, that option should be explored further. Costs of providing this access can be more accurately assessed after a pilot activity.

There currently exist many access points for health sciences librarians, health professionals, health sciences students, and historians to use the library's resources. All hospitals and medical schools offer access to MEDLINE and other database resources and Grateful Med is designed specifically for the end-user searcher. In addition, many public libraries offer CD-ROM or other access to these files. The transition to an electronic environment in this case might well involve an examination of existing offerings of this information and may well present depository libraries and the FDLP the opportunity to explore cooperative arrangements with NLM for services and training.

Attachment N:

Comments from the National Commission on Libraries and Information Science

Comments from the National Commission on Libraries and Information Science

Statement of April 18, 1996

On April 18, 1996, there was a meeting of the FDLP Study working group and advisors in order to provide the advisors with an opportunity to present their preliminary reactions on the draft Report to Congress. The minutes of the meeting are provided as Attachment J. This is the supplemental statement submitted by the National Commission on Libraries and Information Science (NCLIS).

Preliminary Comments

Joan R. Challinor, Member
U.S. National Commission on Libraries and Information Science

628 Dirksen Senate Office Building, Washington, D.C.
April 18, 1996
2:00 p.m.

A. Introduction

The U.S. National Commission on Libraries and Information Science (NCLIS) is pleased to provide these preliminary comments on the draft Study Report.¹ Jeanne Hurley Simon, Chairperson of the National Commission regrets that she is not able to be here this afternoon to offer these comments. Jeanne is in Illinois today participating in a program at Southern Illinois University.

Our comments result from an initial review of the draft Study Report by the members of the Commission's Information Policies Committee, chaired by Commissioner Carol K. DiPrete of Providence, Rhode Island. Because the members of the National Commission have not yet had the opportunity to fully review and discuss the draft Study Report, these preliminary comments do not reflect NCLIS' official endorsement. NCLIS will submit additional comments in the next several weeks, once the full Commission has had a chance to review and discuss the issues included in the Report.²

The National Commission appreciates the opportunity to comment on this draft Study Report. Congress displayed strong leadership in directing the Public Printer to study the potential of new electronic technologies for improving public access and use of government information. Actions based on the study's results and conclusions, however, should balance Congressional concerns for cost efficiencies with basic principles regarding the creation, access, use, and dissemination of government information.

¹U.S. Government Printing Office. Report to Congress: Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program. (Draft) Washington, D.C.: GPO, 1996.

²The Commission later determined that no further comments were necessary.

The draft Study Report represents a significant contribution to the future of the Federal Depository Library Program (FDLP). The Government Printing Office (GPO) and the Working Group are to be commended for their efforts to address complex issues related to effective public access to government information. The draft Study Report reflects a thoughtful review of the opportunities for enhancing public access to government information. Although the Study was conducted within strictly mandated time constraints, implementation planning requires careful planning and analysis to ensure effective public access to government information. Collaborative transition planning involving Congress, GPO, and the National Commission could serve as a model for improving and enhancing public access to Federal government information.

The Commission's comments address the following areas:

1. The National Commission's Principles of Public Information;
2. Results of recent NCLIS surveys of public library Internet involvement;
3. The Commission's interest to assist with a FDLP implementation study;
4. NCLIS' general concerns about citizen access to federal information.

As background, first let me give you an quick overview of NCLIS' statutory purpose and some information about the Commission's role in developing the Principles of Public Information.

B. Background on the Commission

The National Commission was established in 1970 (P.L. 91-345) as an independent Federal agency to advise the President and the Congress on national and international policies and plans related to libraries and information services. The Commission consists of 14 members who are appointed by the President and confirmed by the Senate for five-year terms. Only five NCLIS members are professional librarians or information professionals, the remainder are those persons having special competence or interest in the needs of our society for library and information services. The Librarian of Congress serves as the 15th Commission member. NCLIS is a small micro-agency, with an annual federal appropriation of less than \$1 million a year. The Commission receives additional support for cooperative programs with the Department of Education and the State Department.

The Commission's mission as stated in the enabling legislation has been broadly interpreted in our 25-year history. By law, NCLIS develops plans and recommendations for the implementation of national policies related to library and information services adequate to meet the needs of the people of the US. Commission activities are designed to assure optimum and effective utilization of the Nation's educational and information resources. The National Commission does not represent the interests and concerns of the library and information community. As a citizens' advisory body, NCLIS represents the public's interest.

C. Principles of Public Information

Throughout the Commission's history, national information policy issues have occupied NCLIS. In the 1970's, NCLIS published the Rockefeller report on National Information Policy.³ This 1976 report called for the development of a coordinated national information policy. The rationale for this report was stated as follows:

"A great number of public policy questions are being generated by advances in computer and communications technology, by shifts in the United States economy from a manufacturing to an information base, and by citizen demands for clarification of their rights to have and control information."

These same concerns are reflected in GPO's March 1996 draft Study Report. Over the last two decades NCLIS has studied many of the public policy questions presented in the Rockefeller report. As a result, the Commission developed the Principles of Public Information in response to a 1988 Office of Technology Assessment (OTA) report titled Informing the Nation: Federal Information Dissemination in an Electronic Age.⁴ This report addressed opportunities to improve the dissemination of federal information by highlighting problems of maintaining equity of public access to federal information in electronic formats and by defining the respective roles of federal agencies and the private sector in the electronic dissemination process.

After an NCLIS-sponsored public forum held in 1989 to review policy issues raised in the OTA report, the Commission worked to develop a consensus among interested parties as to the basic, underlying principles that should shape all decisions in and out of government regarding information policies, procedures and practices. These principles were developed to provide guidance for the formulation of national information policies.

The Commission's work resulted in a statement of Principles of Public Information, adopted by NCLIS July 29, 1990. I will not review these eight statements because they are included as Attachment E to the March 1996 draft Study Report. The eight principles were constructed as an interrelated whole. They are intended to form a foundation for decisions and policies throughout the federal government. Each principle should be considered in relationship to all the others; one is not more important than another.

As a means of providing comparative information about government information principles the Commission has prepared a handout for distribution. It's a chart showing the Commission's Principles of Public Information, the Principles of Government Information and Services from A NATION OF OPPORTUNITY, the final report of the NII Advisory Council,⁵ and the Principles for Federal Government

³Domestic Council Committee on the Right of Privacy, Honorable Nelson A. Rockefeller, Chairman. National Information Policy: Report to the President. Washington, D.C.: NCLIS, 1976.

⁴Office of Technology Assessment. Informing the Nation: Federal Information Dissemination in an Electronic Age. Washington, D.C.: OTA, 1988.

⁵U.S. Advisory Council on the National Information Infrastructure. A Nation of Opportunity: Realizing the Promise of the Information Superhighway. West Publishing, 1996.

Information from the present draft Study Report on the FDLP.⁶ The chart illustrates the similarity between these three different sets of principles. Each articulation underscores important concerns about the accessibility, usability and reliability of government or federal information resources.

Also, these three sets of principles reflect the same values that form the basis for our democratic society. What is critical about each of these statements of principles related to public or government information is the focus of attention on the needs of the user or the public. The principles underlying the dissemination of federal information are formed from the perspective of the user or the citizen who requires and is entitled to have "open, timely, and uninhibited" access to public information. This user perspective and orientation are essential to guide plans for a successful transition to a more electronic future program.

D. Findings from NCLIS studies of public libraries and the Internet

An overview of the results of several recent studies⁷ that the Commission has sponsored on public libraries and the Internet provides background. Our first study, in 1994, found that 20.9% of the nation's libraries had Internet connections. Our 1996 study shows that percentage has increased to 44.6%.

Public Library Internet Connectivity by Population Served 1994-1996

Population of Legal Service Area ⁸	% Public Libraries Connected	
	1994	1996
1 million +	77%	82%
500,000-999,999	64%	93.1%
250,000-499,999	76%	96.1%
100,000-249,999	54.4%	88.2%
50,000-99,999	43.7%	75%
25,000-49,999	27.6%	73.1%
10,000-24,999	23.2%	53.1%
5,000-9,999	12.9%	40.6%
Less than 5,000	13.3%	31.3%
Total Public Libraries Connected	20.9%	44.6%

⁶U.S. Government Printing Office. Report to Congress: Study to Identify Measures Necessary for a Successful Transition to a More Electronic Federal Depository Library Program. (Draft) Washington, D.C.: GPO, 1996.

⁷McClure, Charles R., John Carlo Bertot and Douglas L. Zweizig. Public Libraries and the Internet: Study Results, Policy Issues, and Recommendations. Washington, D.C.: NCLIS, 1994. Electronic version: <http://www.nclis.gov>; and McClure, Charles R., John Carlo Bertot and John C. Beachboard. Internet Costs and Cost Models for Public Libraries: Final Report. Washington, D.C.: NCLIS, 1995. Electronic version: <http://dataserver.syr.edu/~macbeth/Project/Faculty/McClure.NCLIS.Report.html>

⁸Population of legal service area is the number of people in the geographic area for which a public library has been established to offer services and from which (or on behalf of which) the library derives income, plus an areas served under contract for which the library is the primary service provider.

The 23.7% increase in public library Internet connectivity between 1994 and 1996 provides strong evidence of the rapid pace of change that is characteristic of electronic networked information and communication technologies. Plans for a transition to a more electronic FDLP must address this extremely rapid pace of change. The rapid pace of change is further reinforced by public libraries responding to the 1996 NCLIS survey question regarding their plans for connecting to the Internet over the next 12 months:

Public Library Internet Connectivity Plans by Population Served 1996

Population of Legal Service Area	% Planning Connections		
	Yes/Staff	Yes/Public	No Plans
1 million +	0% ⁹	0%	0%
500,000-999,999	2.4%	6.9%	0%
250,000-499,999	2%	4.2%	0%
100,000-249,999	4.7%	12.9%	0.9%
50,000-99,999	7.5%	13.4%	4.3%
25,000-49,999	9%	12.5%	8.1%
10,000-24,999	10.4%	20.6%	16.9%
5,000-9,999	11%	26.8%	22.2%
Less than 5,000	8.3%	26.6%	31.3%
Public Library Connectivity Plans	16.3%	40.4%	39.6%

Of those public libraries that reported no Internet connection in 1996, 16.3% indicate that they plan to establish connections in the next 12 months for library staff use only. In addition, 40.4% of public libraries with no Internet connection in 1996 report that they are planning to provide public access Internet services in the next year. From these survey results it appears that public library Internet connectivity could well reach between 60% and 75% by 1997.

For those public libraries that provide public access to Internet services in 1996, institutions serving larger populations were more likely to provide public access to WWW graphical services than libraries serving smaller communities. NCLIS 1996 survey information about the types of Internet services provided by public libraries to the public is summarized in the following table:

⁹Those public libraries that are not now connected to the Internet and did not respond or responded that they are not planning to connect to the Internet are represented by 0%.

Public Access Internet Services Provided by Public Libraries 1996

Population	E-mail	NewsGroup	WWWtext	WWWgraphic	Gopher Svcs
1 million +	13.9%	13.0%	33.8%	54.6%	32.9%
500,000-999,999	11.3%	11.3%	46.3%	44.7%	45.7%
250,000-499,999	10.0%	8.8%	39.8%	33.9%	35.0%
100,000-249,999	10.3%	20.3%	37.9%	42.7%	34.8%
50,000-99,999	4.8%	15.5%	28.5%	29.2%	29.4%
25,000-49,999	9.2%	13.2%	25.1%	28.1%	24.3%
10,000-24,999	9.8%	13.6%	23.0%	27.6%	24.8%
5,000-9,999	10.0%	5.7%	15.9%	17.5%	14.4%
Less than 5,000	12.1%	9.6%	15.7%	13.9%	17.8%
Overall	9.9%	11.6%	22.2%	23.6%	22.6%

Those public libraries that provide public access to Internet and that serve smaller legal service area populations are less likely to offer advanced WWW graphical services. This finding has important consequences for planning a more electronic FDLP. It would appear that states with more rural populations served by smaller public libraries will have greater dependence on depository libraries to offer electronic access to government information.

In addition to the 1994 and 1996 surveys of penetration of Internet access, in 1995 the Commission studied the costs of public library connections to the Internet. The NCLIS Internet cost study showed that public libraries are establishing Internet connections for one-time costs that vary between \$1,475 and \$266,375, with recurring costs between \$12,635 and \$154,220. With investments and annual costs of this magnitude, it is important to consider the investments required for depository libraries to implement a transition to a more electronic FDLP. Focusing attention on the costs of the transition is critical since depository libraries will have to address public needs for accessing federal information in print, microformat, as well as electronic media.

The National Commission plans to provide additional information regarding the costs of public library Internet connectivity in subsequent comments on the draft Study Report in the next few weeks as the results of the NCLIS 1996 public libraries and the Internet survey are analyzed and made available.¹⁰

These three NCLIS studies provide information useful in developing plans related to the transition to a more electronic federal depository library system. As dissemination of government information increasingly involves electronic technologies, libraries will be required to receive, interpret, and research that information for their constituents. Depository library costs associated with this transition may not be comparable to current contributions and investments, and may require additional commitments from a restructured FDLP. The Commission will provide additional pertinent details from the 1996 survey of public libraries and the Internet when further comments are submitted on the draft Study Report in the next few weeks.¹⁰

E. Implementation study of transition to a more electronic FDLP

¹⁰Information on the survey was provided to GPO, but not as formal comments on the FDLP Study, so it is not included in this report. The survey results are available on the NCLIS World Wide Web site at <http://www.nclis.gov>.

The access needs of the general public for federal information should guide the development of transition plans and strategies. Successful plans and strategies require current, reliable, and consistent information about federal agency and depository library capabilities, as well as information about how the public's need for convenient and inexpensive access to government information can be effectively addressed with electronic technologies.

The fast pace of technological change presents challenges for successful transition planning. This need for planning information can be addressed by collaborative efforts involving the National Commission, Congress, and GPO. Survey information about current agency and depository library capabilities are needed to provide assistance and coordination in identifying appropriate technical implementation assistance for transition to a restructured FDLP. Planners need assistance in gathering survey data and performing related analysis as background information for successful plans.

In this regard, the Commission finds that a two-year transition period is insufficient to ensure successful transition. Such an abbreviated implementation period would risk serious impediments for public access to government information. The rapid pace of change, both in network communications technologies and in library adoption of advanced electronic information services, requires a longer transition period. A more reasonable implementation planning period for such a transition would be five years, from 1996 to 2001, as has been proposed in *Federal Depository Library Program: Information Dissemination and Access Strategic Plan, FY 1996 - FY 2001*.

F. Evaluation of how well the public's need for access to public information is being met

The draft Study Report provides a valuable planning document to provide the American public with greater access to government information in electronic form through a restructured FDLP. It is important to consider these plans within a broad government-wide context. As individual agencies, offices, and programs make expanded use of the Internet and World Wide Web publishing capabilities, mounting home pages and opening sites, challenges related to preservation, authenticity, access, cost, and locator service increase.

This decentralized proliferation of government information dissemination and publishing has a direct impact on public access. There must be evaluation of how well the public's need for access to public information is being addressed through the federal depository library program, in relation to the public's use of the GPO Access Service, the Library of Congress' THOMAS system, through agencies Government Information Locator Service (GILS), through agencies Internet gopher sites, World Wide Web (WWW) home pages, and by other electronic means. Cooperative projects involving the National Commission could study and analyze these contextual issues relating to public access to government information and services in order to recommend plans that address the user's needs for access. In this area, NCLIS has explored plans for evaluating the effectiveness of GILS over the past year in meeting the public's need for locating and accessing government information from a variety of different sources.

While concerns regarding dissemination format are justified, the future structure, design, and effectiveness of a more electronic FDLP need to be seen from the user's perspective. The transition from a legacy of paper and microfiche to digital transmission will have important consequences on patterns of access to government information. The transition to a more electronic FDLP involves more than a single dimension of change from ink-on-paper document distribution to document transmission via electronic networks. Understanding the implications of this transition on public use of government information is critical for the future. We must work to assure the right and responsibility of every American to be informed as Thomas Jefferson identified in 1816.

[The table on the following page was submitted as part of the NCLIS statement.]

Submitted by:
Peter R. Young
Executive Director
U.S. National Commission on Libraries and Information Science
1110 Vermont Avenue, N.W., Suite 820
Washington, D.C. 20005

Principles of Public Information

US National Commission on Libraries and Information
Science
29 June 1990

1. The public has the right of access to public information.
2. The Federal Government should guarantee the integrity and preservation of public information, regardless of its format.
3. The Federal Government should guarantee the dissemination, reproduction, and redistribution of public information.
4. The Federal Government should safeguard the privacy of persons who use or request information, as well as persons about whom information exists in government records.
5. The Federal Government should ensure a wide diversity of sources of access, private as well as governmental, to public information.
6. The Federal Government should not allow cost to obstruct the people's access to public information.
7. The Federal Government should ensure that information about government information is easily available and in a single index accessible in a variety of formats.
8. The Federal Government should guarantee the public's access to public information, regardless of where they live and work, through national networks and programs like the Depository Library Program.

Nation of Opportunity Principles of Government Information and Services

US Advisory Council on the National Information
Infrastructure
January 1996

- Government information, including records of the actions of government, should be conveniently accessible to all persons, utilizing information infrastructure capabilities whenever feasible and appropriate. (1)
- The public should be given an opportunity to contribute meaningfully to decisions affecting government information and services over information infrastructures. (9)
- Government entities must ensure and protect the quality, integrity, and security of government information and services over information infrastructures and provide appropriate preservation and archiving of government information to ensure continued useability and availability. (6)
- Government should safeguard the privacy of persons about whom information exists in government records, as well as persons who use or request government information. (7)
- Government should encourage the widest possible cost-effective dissemination of government information in wide diversity of formats and sources. (4)
- Government should encourage the private sector to take the lead in providing value-added information and services over information infrastructures. (5)
- The Federal Government should not charge for making its information available on the Information Superhighway nor charge for access to that information. Hard copy material, when available, should continue to be distributed under existing practices. (3)
- Government services should be accessible to all persons eligible for such services, utilizing information infrastructure capabilities wherever feasible and appropriate. (2)
- Government employees, and ideally all individuals, should be educated and trained regarding their rights and responsibilities under existing information laws. (8)

Principles for Federal Government Information

GPO Study to Identify Measures Necessary for a
Successful Transition to a More Electronic Federal
Depository Library Program
29 March 1996

- Principle 1: The public has the right of access to government information.
- Principle 3: Government has an obligation to guarantee the authenticity and integrity of its information.
- Principle 4: Government has an obligation to preserve its information.
- Principle 2: Government has an obligation to disseminate and provide broad public access to its information.
- Principle 5: Government information created or compiled by government employees or at government expense should remain in the public domain.

