



TO: Members of the Depository Library Council

FROM: Prue Adler, Association of Research Libraries

RE: Reform of the Federal Depository Library Program

On behalf of the Association of Research Libraries (ARL), I am submitting these comments at the request of Davida Vance-Cooks.

Thank you for your work in considering changes to title 44, chapter 19 to update the Federal Depository Library Program (FDLP). As you know, there is a pressing need to update the FDLP to reflect today's technological environment and the needs of the US Congress and the public. The last time Congress made structural changes to the FDLP was 1962. Reform of title 44, chapter 19 is long overdue.

ARL looks forward to working with the members of the DLC, GPO and Congress as reform of the Program is considered.

Thank you!

<https://www.fdlp.gov/dlc-contact-form>

Included below are several key issues that ARL believes are ripe for consideration in title 44 reform relating to the FDLP. I should note that some don't require legislative provisions but could be recommendations from Council or the House Administration Committee and the Committee on Senate Rules and Administration.

- 1) Any change to title 44, chapter 19 should focus on electronic publications, access and services and not on collecting publications. The FDLP is now 97% electronic thus the recommendation to update the statute to reflect the network-based, digital environment.
- 2) There is interest by some in deleting the term "publications" and replacing it with "public information." Such a change would broaden the types of information in the FDLP thus greatly expand the responsibilities of the federal regional depository libraries to permanently retain and provide access to all public information. In addition, the phrase "public information" could refer to state and local information as well as any other public information well beyond government publications. ARL does not support this proposed change but new clarity in the definition of publications to definitively include digital publications would be helpful.
- 3) Any reform of chapter 19 should not require regional depository libraries to *preserve and provide access* to all digital government information. Currently, federal regional depositories acquire and retain tangible government information provided via the GPO. These libraries are

not required to preserve this information in perpetuity, nor are they required to acquire, retain or preserve digital government information.

- 4) As changes to chapter 19 are considered, it would be helpful to provide additional flexibility to both selective and regional depository libraries. For example, there should be a mechanism for selectives to discard government documents even if there is no regional in their state.
- 5) When the current structure of the Program was conceived in 1962, it was established as a state-based program where a member of the public could travel to a local or regional library. Today, with the majority of government information in the program electronic, this state-based geographical system of distribution, access and retention is no longer necessary to meet the government information needs of the public. In addition, there is no need for 47, somewhat redundant, federal regional depositories. This model places significant burden on regional depository libraries by requiring an inordinate amount of space, staff and associated costs be devoted to the Program.
- 6) There is a need for a small number of regional depository libraries to preserve redundant, complete archival sets. Another option for those libraries wishing to maintain print collections is the ASERL model for Centers of Excellence. This model which concentrates on publications from specific agencies (or sub-agencies) or topics, provides a good model for focusing the print collections on the needs of the depository library and the constituents it serves, as well as reducing redundancy by distributing responsibility for preservation and access to print collections.
- 7) The University of Minnesota has a very effective virtual depository program in place to service the public in Minnesota, Michigan and South Dakota. This virtual depository program has demonstrated that servicing two additional states is very effective by efficiently utilizing the needed technology and shows the current model established in 1962 is outdated and requires significant change. Other federal regional depositories could adopt and implement this program thus reducing the number of federal regional depositories as mentioned above.
- 8) We can learn from other shared print agreements supported by certified digital repositories that are in place throughout the country. These shared print agreements serve as models for cost-effective delivery, retention and preservation programs. The library community has very successful programs in place to ensure the long-term preservation and access to content including federal documents. HathiTrust and its members are committed to and are investing a great deal of time, dollars and staff in identifying and building a comprehensive digital collection of federal documents distributed in print format by GPO as a part of the FDLDP.
- 9) GPO should more actively ingest digitized federal documents in collaboration with the library community to reduce redundant efforts and make federal government information more broadly accessible. Although this recommendation does not require legislative language, DLC could recommend that GPO take this action or it could come as guidance from the House Administration Committee and Senate Rules and Administration.