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Committee on House Administration

(via email: <https://cha.house.gov/about/contact-us/email-house-administration>)

and by USPS:

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1309 Longworth House Office Building
Washington, D.C. 20515

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Congressman Rodney Davis
Vice chairman , Committee on House Administration
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Congresswoman Zoe Lofgren
Committee on House Administration
1401 Longworth House Office Building
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Congresswoman Barbara Comstock
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Congressman Jamie Raskin
Committee on House Administration
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Congressman Mark Walker
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Congressman Adrian Smith
Committee on House Administration
320 Cannon House Office Building
Washington, DC 20515

Congressman Barry Loudermilk
Committee on House Administration
329 Cannon House Office Building
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Ms. Davita Vance-cooks
Director of Government Publishing Office
732 North Capitol Street, NW
Washington, DC 20401-0001

Re: revision of Title 44 of the US Code.

Dear Members of the Committee on House Administration:

Director of the Government Publishing Office (GPO) Davita Vance-Cooks proposed a careful and thoughtful evaluation of all chapters of Title 44 at the July 18, 2017 hearing of your committee. It has come to my attention that the committee has hired former Public Printer Robert Tapella to lead the committee's review of Title 44 and that a draft bill is already in the works.

As you know, Title 44, which codifies the Federal Depository Library Program (FDLP) into law, is the only legal guarantee that the US government will provide its information for free to the General Public, the citizens of the USA. It also directly affects thousands of non-Federal Depository Library Program libraries by defining free public access to the essential information and records of our democracy.

We strongly support language that will empower FLDP libraries to continue the more than two hundred years of service to their communities and that will modernize their partnership with GPO to enhance and strengthen the preservation of federal government information.

We recommend that the committee share with the wider library community the draft bill currently being marked up so that the community of libraries and the publics that they serve can participate in revising a law that is working and has long served as the foundation of the public's access to government information.

We also recommend that any changes to Title 44 affirmatively reflect four principles:

- 1) Privacy
- 2) Preservation
- 3) Free Access and Free Use

4) Modernized scope of information covered by Chapter 19 to include digital information.

Further, we recommend six specific changes to Title 44 that reflect those principles:

1) Modernize the definition of “publications.”

Change the definition in §1901 from “Government publication” to “public information” as defined in 44 U.S. Code § 3502 (12) and use this same wording in §4101.

2) Retain and enhance FREE use by the General Public.

Modernize §1911 to retain free access and to reflect the broader scope of Public Information. Sample text: “Depository libraries shall make all Public Information obtained through the depository program available for the free use of the general public.”

3) Prohibit fees for govinfo.gov.

Change wording of §4102 to remove “fee” and replace with same “free” language as Chapter 19. Sample wording: “The directory and the system shall be made available to the general public without charge.

4) Require Preservation.

Make changes to §1904 and §1905 to explicitly include “digital public information” that GPO will deposit by sending digital files (including metadata) to FDLP libraries. Define “digital depositories” as FDLP libraries that receive, store, preserve, and provide access to digital government information they acquire through the Depository Program. Modify the text of §1911 to define a class of FDLP digital preservation libraries. Those FDLP libraries will agree to retain all digital content sent through the depository program, will preserve that content in a true digital archive, and will make it available for the free use of the general public. Add text to §4101 requiring GPO to preserve and provide free public access to all the digital content once it has been added to its “electronic storage facility for Federal electronic information.”

5) Add a privacy provision for govinfo.gov.

Add a privacy provision to §4101. This provision should prohibit the use of technologies that track user individual-level activity. Text for this section could be drawn from 5 USC 552a and from OMB memorandum M-10-22, but should also prohibit the use by GPO of third-party web measurement and customization technologies.

6) Make all digital government information free.

Modify §1708 to: allow GPO to sell paper -- including print-on-demand (POD) -- and microformatted documents to retailers at a wholesale price; mandate that GPO offer to FDLP libraries as selectable items all print/POD/microformat documents that it offers for sale to retailers; prohibit GPO from selling ebooks, PDFs and other digital formats.

FDLP libraries and the federal government have long worked in concert to offer access to and preservation of the public's information and this should continue in the digital age. By modernizing Title 44 for the digital age, FDLP libraries will expand the services available to the

General Public in ways that GPO cannot do by itself. FDLP Libraries remain committed to this cause.

Thank you for your time in this matter. I look forward to working with the committee to draft an update of Title 44 that facilitates the provision of the public's own government information, supports public access to and preservation of government information, and works to maintain the historically important work of depository libraries.

Yours sincerely,



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Here we go again: GPO wants to change Title 44
<http://freegovinfo.info/node/12123>

This is not a drill. The future of Title 44 and the depository library program hang in the balance.
<http://freegovinfo.info/node/12168>

Reading between the tea leaves: more about revising Title 44
<http://freegovinfo.info/node/12217>