

This document contains recommendations to changes to the December 11, 2017 draft bill designed to change Title 44 of the *U.S. Code*. It only includes those sections for which we recommend changes. Suggested deletions are indicated by ~~strikethrough text~~ and suggested additions are indicated by yellow highlighting. Comments with rationale for suggested changes are in blue text.

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DEFINITIONS

If Chapter 5 is submitted alone, it will be necessary to incorporate into it some of the definitions that are currently in Chapter 1.

We suggest including the definitions of categories of information (Information, Federal information, Public information, Information dissemination product, Electronic information dissemination product, and Government publication) and the definition of Dissemination.

We also suggest adding definitions for "deposit" and "access" and a small modification to the the defintion of "fugitive document" so that it includes the entire National Collection, not just the online repository.

'Deposit' refers to the active transfer of a copy of information, regardless of form or format or medium, from the government to an FDL for the purposes of that copy being stored for no-fee public access and preservation by the FDL.

'Access' refers to making information available on-demand for viewing, reading, and use by the public.

'Fugitive Document' means an information dissemination product consisting of a document that should be part of the National Collection but which is not cataloged or otherwise identifiable or retrievable by an end user through the cataloging, indexing, and locator services or through the online repository under section 521.

SEC. 501. Findings; purpose

(a) FINDINGS.--Congress finds the following:

(1) The free flow of government information is fundamental to a democratic society, and members of the public have a right of access to government information.

(2) The Federal Depository Library Program is an essential means by which members of the

public access government information. These libraries partner with the Government Printing Office and offices of the Federal Government to ensure that members of the public throughout the United States have effective, no-fee access to government information.

(3) The majority of government information produced is in electronic format. As a result, 97% of the information available through the Federal Depository Library Program is in electronic format.

(4) Government has a responsibility to disseminate information in order to ensure that members of the public are fully aware of the activities of their government, to spur innovation and research, and to promote good government.

(b) PURPOSE.--It is the purpose of this chapter to promote the greatest possible public access to information dissemination products by authorizing the Superintendent of Documents to--

(1) **Build on the existing National Collection**, ~~establish a national collection of~~ information dissemination products and **continue** to provide no-fee, permanent public access to such collection through an online repository established and operated by the Public Printer under subchapter B and through the Federal Depository Library Program under subchapter C;

(2) carry out a cataloging and indexing program for the products in such national collection; and

(3) carry out a by-law distribution program and an international exchange service program under subchapter D.

SEC. 502. National collection of information dissemination products

Section 502 of the bill defines the "National Collection" as being limited to that content that is in GPO's online repository.

We suggest defining a "National Collection of Federal Government Information" that consists of all public federal government information past and present, paper and digital.

Our definition is intentionally broad. We believe that the law should not *exclude* anything from the public record in the definition of the National Collection.

(a) ESTABLISHMENT OF COLLECTION.--For purposes of ~~In accordance with this Act subchapter,~~ **The National Collection of Federal Government Information consists of all those IDPs distributed to and held by FDLP libraries both before and after the date of the enactment of the (insert short title of bill), and all those IDPs and other Public Information that the Superintendent of Documents shall determine** ~~establish a comprehensive, national collection of information dissemination products which are determined to be appropriate for inclusion in the~~ **Collection. Once an item is added to the National Collection it may not be withdrawn from the Collection except as described by section 508.**

The bill gives GPO sole responsibility "electronic" information. We suggest sharing this responsibility with FDLs.

The Superintendent of Documents collection, and shall provide no-fee online access make such collection available to the electronic information dissemination products in such collection public through the online repository established and operated by the Public Printer under subchapter B and through the Federal Depository Library Program under subchapter C.

The Superintendent of Documents shall provide no-fee access to all other content in such collection through the Federal Depository Library Program under subchapter C.

(b) DETERMINATION OF PRODUCTS TO BE INCLUDED IN COLLECTION.--

(1) IN GENERAL.--Except as provided in paragraph (4), the determination regarding whether or not an information dissemination product is appropriate for inclusion in the national collection under this subchapter shall be made jointly by the Superintendent of Documents and the applicable official.

(2) GUIDANCE.--The Superintendent of Documents shall issue guidance to offices on the types or characteristics of information dissemination products that the Superintendent considers generally appropriate for inclusion in the national collection.

(3) RECOMMENDATIONS.--The Superintendent of Documents or the appropriate official shall recommend information dissemination products for inclusion in the national collection.

(4) SPECIAL RULE FOR PRODUCTS MADE AVAILABLE ON WEBSITES OF OFFICES.--

In the case of an information dissemination product which an office disseminates in electronic form to the public at no cost, the Superintendent may make the determination under paragraph (1) without the participation of the applicable official.

(5) LIST OF PRODUCTS NOT INCLUDED.--

The Superintendent of Documents shall publish a list, not less frequently than annually, of the titles of information dissemination products about which the Superintendent and the appropriate official have not reached a joint determination regarding whether or not the product is appropriate for inclusion in the national collection.

(c) APPLICABLE OFFICIAL DEFINED.--In this subchapter, the "applicable official" with respect to an information dissemination product is as follows:

(1) In the case of an IDP originating in an office of the executive branch, the head of the office in which the IDP originated.

(2) In the case of an IDP originating in an office of the legislative branch, the head of the office in which the IDP originated, except that--

(A) if the IDP originated in an office of the House of Representatives, the applicable official is the Clerk of the House of Representatives; and

(B) if the IDP originated in the Senate, the applicable official is the Secretary of the Senate.

(3) In the case of an IDP originating in the judicial branch, the Director of the Administrative Office of the United States Courts or the Clerk of the United States Supreme Court (as the case may be).

SEC. 503. Responsibility of offices of Government to furnish products to Superintendent of Documents

(a) REQUIREMENT TO FURNISH PRODUCTS.--

(1) IN GENERAL.--If an office of the Federal government produces or procures an information dissemination product, regardless of form or format, the applicable official shall furnish the product to the Superintendent of Documents for inclusion in the national collection established and maintained under this subchapter at the applicable price described in paragraph (2), not later than the date on which the product is made available to the public.

(2) APPLICABLE PRICE DESCRIBED.--In paragraph (1), the applicable price with respect to an information dissemination product is--

(A) in the case of a product in electronic form which the office involved disseminates to the public at no cost, \$0; or

(B) in the case of any other product, such price as may be appropriate, but not to exceed the actual cost to the office involved of producing an additional copy of the product.

(b) FORM AND FORMAT.--

(1) IN GENERAL.--In furnishing an information dissemination product to the Superintendent of Documents under this subchapter, the applicable official shall deposit with and notify the Superintendent of digital or tangible (as applicable) versions of such IDP, regardless of the form or format of the product, in such manner as will enable the Superintendent to perform cataloging, indexing, and locator services with respect to the IDP under section 506.

(2) SPECIAL RULE FOR INCOMPATIBLE FORMATS.--

(A) PROVIDING LOCATION AND ACCESS.--

If the form or format of an IDP is not compatible with the electronic systems of the Government Printing Office, the applicable official shall meet the requirements of this section by providing the Superintendent with information on where the content of the IDP is held and how the Superintendent may access the content, and by providing access to and preserving the content of the IDP.

(B) CATALOGING, PUBLIC ACCESS, AND PRESERVATION.--The Superintendent, in consultation with the applicable official, shall determine the best method to catalog, provide public access to (including through the Federal Depository Library Program under subchapter C), and preserve an IDP which is subject to subparagraph (A).

(c) NOTIFICATIONS REGARDING CHANGES IN PRODUCTION OR PROCUREMENT OF PRODUCTS.--

(1) IN GENERAL.--The applicable official shall immediately notify the Superintendent of the intent of an office to produce or procure, substantially modify, or terminate the production of an information dissemination product, regardless of form or format, in order to enable the Superintendent to continue to provide public access to the product under this chapter, including access through the Federal Depository Library Program under subchapter C at the applicable price described in subsection (a)(2). Nothing in this paragraph shall be construed to affect the application of section 3506 of this title to any office or applicable official.

(2) PUBLIC NOTICE.--The Superintendent of Documents shall publish in the Federal Register, and provide timely notice to the public and the Federal Depository Libraries under subchapter C, of notifications received under paragraph (1). In the case of notifications that an office intends to terminate the production of an information dissemination product, eliminate the production or availability in tangible form of an information dissemination product, or otherwise limit the provision of public access to an information dissemination product to only electronic means, the Superintendent of Documents shall provide such notice not later than 10 days after receiving the notification.

(3) RESTRICTIONS ON AUTHORITY TO ELIMINATE PRINTED COPIES OF PRODUCTS.--

An office may not terminate the production of an information dissemination product, eliminate the production or availability in tangible form of an information dissemination product, or otherwise limit the provision of public access to such product to only electronic means, until the expiration of the 70-day period which begins on the date the head of the office notifies the Superintendent of Documents of the intent to terminate such production, eliminate such production or availability in tangible form, or limit such access to electronic means (as the case may be).

(d) FAILURE TO FURNISH PRODUCT.--If an applicable official fails to furnish an IDP to the Superintendent of Documents under this section--

(1) the Superintendent is authorized to obtain the IDP; and

(2) the office of the applicable official shall reimburse the Superintendent for the costs incurred in obtaining and disseminating the IDP.

(e) COLLECTION OF PRODUCTS IN COLLECTION OF FEDERAL DEPOSITORY LIBRARIES.--In addition to obtaining IDPs from offices of the Federal government, the Superintendent of Documents may enter into arrangements with a Federal Depository Library under subchapter C to obtain from such Library any IDPs in Library's own

collection of documents and materials and the metadata associated with any such IDPs.

(f) **ROLE OF PUBLIC PRINTER.**--The Superintendent of Documents shall carry out this section under the supervision of the Public Printer, who shall be responsible for ensuring the compliance of offices of the Federal government with this section.

(g) **EFFECTIVE DATE; TRANSITION RULE FOR ELECTRONIC PRODUCTS FURNISHED TO DEPOSITORY LIBRARIES.**--

(1) **IN GENERAL.**--This section shall apply with respect to any information dissemination product produced or procured on or after the effective date of the (insert short title of bill).

(2) **FURNISHING ELECTRONIC PRODUCTS TO FEDERAL DEPOSITORY LIBRARIES DURING TRANSITION.**--

(A) **INVENTORY OF PRODUCTS.**--Not later than 1 year after the date of the enactment of the (insert short title of bill), the applicable official of each office shall provide the Superintendent of Documents with an inventory of, and access to, all electronic information dissemination products (as defined in section 505) which originated in the office prior to the effective date of such Act.

(B) **FURNISHING OF PRODUCTS TO LIBRARIES.**--If, in the same manner applicable to information dissemination products under section 502(b), the Superintendent and the applicable official determine that a product in the inventory provided under subparagraph (A) would be appropriate for inclusion in the national collection under this subchapter (if the product were procured or produced after the effective date of the (insert short title of bill)), the applicable official shall furnish the product to the Superintendent for **distribution deposit** to Federal Depository Libraries under subchapter C, as determined by the Superintendent.

(C) **COSTS.**--The cost of furnishing an IDP to a Federal Depository Library under this paragraph shall be paid by the Superintendent of Documents.

SEC. 506. Cataloging, indexing, locator services, and digitization of information dissemination products

(a) **CATALOGING, INDEXING, AND LOCATOR SERVICES.**--

The Superintendent of Documents shall--

(1) perform cataloging, locator, and indexing services with respect to the information dissemination products included in the national collection under this subchapter;

(2) perform cataloging, locator, and indexing services with respect to any information dissemination products which are not included in the national collection because they were created prior to the effective date of the (insert short title of bill); and

(3) make the resulting cataloging, locator, and indexing information available for no-fee public access under the program described in subsection (b), and as part of the national

collection under this subchapter.

(b) CATALOG OF GOVERNMENT PRODUCTS.--

(1) ESTABLISHMENT OF CATALOG.--The Superintendent of Documents shall establish and maintain a Catalog of Government Products consisting of a comprehensive set of metadata, including a permanent digital object identifierthe Digital Object Identifier, associated with information dissemination products, including existing products which are not yet catalogued, and may make the records of such Catalog available in other bibliographic utilities that support widely available record sharing.

(2) NATIONAL BIBLIOGRAPHIC RECORDS INVENTORY.--The Superintendent shall carry out a program to bring fugitive documents under bibliographic control and to make records associated with such documents available through the Catalog established and maintained under paragraph (1) and other appropriate bibliographic utilities.

(c) DIGITIZATION.--

We suggest small changes here to conform to the definition of the National Collection. We also add a preference for digital use-requirements (e.g. OCR, markup, ebooks, corpora) without specifying any particular technology.

(1) IN GENERAL.--The Superintendent of Documents is authorized to digitize, ~~to the greatest extent practicable, all~~ information dissemination products **in the National Collection** ~~created at any time, and to add those digitizations to include such products in digitized form in the National Collection~~ **national collection** under this subchapter. (2) AUTHENTICATION.-- To the greatest extent practicable, the Superintendent shall **ensure that such digitizations meet the digital-use requirements of users.**

(2) AUTHENTICATION.--The Superintendent shall identify the chain of custody or other provenance of IDPs in the national collection under this subchapter which are in digitized form, and shall verify that such IDPs are **accurate, complete,** and unaltered.

(d) AUTHORIZING ACTIVITIES TO BE CARRIED OUT BY OTHER ENTITIES.--

(1) AUTHORIZATION.--The Superintendent of Documents may enter into an agreement with another entity of the Federal government or a **not for profit** ~~private~~ entity (including a Federal Depository Library under subchapter C) to carry out any of the activities authorized under this section, in accordance with regulations promulgated under this subchapter.

(2) TREATMENT OF WORK PRODUCT AS WORK OF UNITED STATES GOVERNMENT FOR PURPOSES OF COPYRIGHT.--

For purposes of section 105 of title 17, any work product produced under an agreement entered into under paragraph (1) shall be considered a work of the United States Government.

SEC. 508. Policies for recall and withdrawal of products from national collection

The bill would allow GPO to create policies for recalling and removing content, but it does not limit this power or provide any guidance to GPO for what removal is meant to accomplish. Without limitations or principles in law, regulations could become far-reaching.

We suggest limiting the conditions for withdrawal so that political, economic, and technical considerations cannot be used.

We also introduce the concept of "retracting" content rather than "withdrawing" content. This is particularly important for digital content. Items can be marked in metadata as retracted (for errors, for example) but not physically withdrawn. This will allow retracted content to be compared to any replacement.

We imagine that this wording will also suggest the use of metadata to distinguish versions and avoiding withdrawing content that is old or "out of date" and allow them to be retained. They can be marked, versioned, etc. This will be essential when databases are introduced into the Collection, too.

(a) LIMITATION ON RECALL AND WITHDRAWAL.-- An information dissemination product may not be redacted, altered, recalled, withdrawn, or otherwise removed or changed after being added to from the National Collection national collection under this subchapter unless required by law, national security, or protection of privacy, or if except as provided under the Superintendent determines items were added to the Collection in error. The Superintendent of Documents shall carry out each of the following policies with respect to the information dissemination products included described in the national collection under this subchapter: subsection (b).

(b) POLICIES.--The Superintendent of Documents shall carry out each of the following policies with respect to the information dissemination products included in the national collection under this subchapter:

(1) A policy for removal the recall of IDPs from, regardless of form or format, in order to ensure compliance with relevant law, which takes into consideration the need of preserving materials for archival purposes with the National Collection Archives and Records Administration.

(2) A policy for marking items the withdrawal of IDPs, regardless of form or format, in a manner consistent with the National Collection as "retracted" with an explanation requirements of why retracted sections 543 and 544.

(3) A policy for the deaccession of IDPs, regardless of form or format. (4) A policy for the disposal of IDPs, regardless of form or format. (c) REGULATIONS.--Each of the policies

under this section shall be carried out in accordance with regulations promulgated under this subchapter.

SUBCHAPTER B--ONLINE REPOSITORY

SEC. 523. Privacy of users

We add a prohibition on the use of third party fonts, javascript, etc. Such technologies are regularly used on the web today to provide site analytics, user-customization, and other other features. When these technologies are provided by third-parties, those non-government companies can track users of government information. GPO does not currently use such services in govinfo.gov. This would simply write that practice into law, thus prohibiting future administrations from changing that practice.

(a) PROTECTING USER PRIVACY.--Not later than 180 days after the date of the enactment of the (insert short title of bill), the Superintendent of Documents shall implement measures to protect the privacy of individuals using the online repository under this subchapter, and shall ensure that such measures provide users with at least the same level of privacy as provided under section 552a of title 5 (commonly known as the Privacy Act of 1974) and section 208 of the E-Government Act of 2002 (Public Law 107-347; set out as a note under section 3501 of this title) and include a prohibition of the use by the online repository of web-measurement and customization technologies that allow third-parties to monitor user activity.)

(b) REGULATIONS.--This section shall be carried out in accordance with regulations promulgated under this subchapter.

SUBCHAPTER C--FEDERAL DEPOSITORY LIBRARY PROGRAM

SEC. 541. No-fee access to products through Federal Depository Libraries

The bill allows the designation of libraries as depositories even if nothing is deposited with them.

We suggest changing this section so that it describes only those libraries that receive content by deposit.

We do not see the need create a category of libraries that provide "access" to government information since any library can already do that. It might be useful to provide training to "access" libraries and that could be included in the training section of the law.

The Public Printer, acting through the Superintendent of Documents, shall operate a program under which, in accordance with this subchapter--

(1) the Superintendent of Documents shall designate libraries as Federal Depository Libraries, including Selective Depository Libraries, Regional Depository Libraries, and Preservation Depository Libraries;

(2) the Superintendent shall furnish, at no cost, to each library designated as a Federal Depository Library under this subchapter access to the online repository national collection of information dissemination products under subchapter A, including--

(A) complete access to cataloging, indexing, and locator information services under section 506;

(B) complete access to the online repository under subchapter B~~;~~ and

The bill explicitly limits deposit to "tangible" items.

We suggest changes that allow deposit of all IDPs regardless of format or media. This means that there is no need for a special section on "option digital deposit" in section 542 below.

(3C) The Superintendent shall make available for deposit in all depository libraries all such information dissemination products in tangible form as are provided for in this subchapter; and

(43) each such Federal Depository Library shall provide free access to the collection to members of the public.

SEC. 542. Requirements for Federal Depository Libraries

The bill limits FDLs to providing collections of tangible content and "access" to GPO's online repository.

We suggest simplifying the language so that FDLs provide access to their collections regardless of format or media and to provide access to items not in their collection through use of metadata. Such items may be tangible or digital and may be held by GPO or other FDLs.

We delete paragraph (b) "Optional Digital Deposit" because it is not necessary when section 541 no longer discriminates against digital IDPs.

(a) MINIMUM REQUIREMENTS DESCRIBED.--Each library designated as a Federal Depository Library under this subchapter shall meet the following requirements:

(1) The library shall provide members of the public with no-fee access to all of the information dissemination products deposited with ~~furnished to~~ the library by the Superintendent of Documents under this chapter.

(2) The library shall provide members of the public with no-fee access to all other information dissemination products, in electronic format by providing internet access to the online repository under subchapter B and to cataloging, indexing, and locator services under section 506, and in any tangible format held under this subchapter.

(32) The library shall ensure that a member of the library's staff who is knowledgeable about the use of the online repository is reasonably available to assist patrons with the use of the repository.

(43) The library shall meet such other additional requirements as the Superintendent may establish by regulations promulgated under this subchapter.

(b) OPTIONAL DIGITAL DEPOSIT--

(1) IN GENERAL --At the option of the Library, a Federal Depository Library may receive an electronic, digital deposit directly from the Superintendent of Documents of such information dissemination products as are available in suitable electronic form, in accordance with regulations promulgated under this subchapter.

(2) PROTECTING PRIVACY OF USERS.-- TheIf the Librarypermits individuals to seek access to IDPs which are hosted on its own server in accordance with this subsection, the Library shall complyto the extent practicable with the same measures implemented by the Superintendent of Documents to protect the privacy of individuals who seek access to IDPs through the use of its own collections, regardless of format, and use of cataloging, indexing and locator servicesonline repository under section 506subchapter B.

(c) CRITERIA FOR ADDITIONAL REQUIREMENTS.-- The Superintendent shall establish the additional requirements referred to in subsection (a) in accordance with regulations promulgated under this subchapter. Such regulations shall encourage participation by a broad and diverse group of libraries, and may not establish a limit on the number of libraries which may be designated under this section.

(d) AVAILABILITY OF TRAINING PROGRAM FOR USE OF LIBRARIES.--

(1) DEVELOPMENT OF PROGRAM.--The Superintendent shall develop a training and continuing education program which may be used by Federal Depository Libraries to promote the ability of the Libraries to understand the operation of the program under this subchapter and the content of the materials furnished to the Libraries under the program.

(2) OPTIONAL USE OF PROGRAM.--The use by any Federal Depository Library of the program developed under paragraph (1) shall be optional for the Library.

SEC. 543. Selective Depository Libraries

We suggest small changes to this section to make language consistent across all sections and to delete text that limits FDLs to tangible only.

We also delete text that allows GPO to limit the number of FDLs because digital deposit may encourage new digital-consortia that would benefit from more partners

(a) ~~SELECTIVE DEPOSITORY LIBRARIES DESCRIBED.--A library which is designated as a Federal Depository Library may, at its request, be designated as a Selective Depository Library~~ **must meet** if the Library meets the following requirements:

(1) The Library provides access to **its collection of selected** information dissemination products **which it selects and which are deposited with it in tangible form as provided** by the Superintendent of Documents, under regulations promulgated under this subchapter.

(2) The Library agrees to maintain its collection of such IDPs **in tangible form** for a minimum of 5 years after receipt, unless the Superintendent authorizes earlier withdrawal.

(3) The Library collaborates with a Regional Depository Library (as designated under section 544) on the maintenance of a regional collection of such IDPs **in tangible form**.

(4) A Member of Congress makes a recommendation to the Superintendent that the Library should be designated as a Selective Depository Library.

(b) ~~REGULATIONS; LIMITATION ON NUMBER.--The Superintendent shall carry out this section in accordance with regulations promulgated under this subchapter. Such regulations shall provide for a limit on the number of Libraries designated as Selective Depository Libraries under this section.~~

SEC. 544. Regional Depository Libraries

(a) REGIONAL DEPOSITORY LIBRARIES DESCRIBED.--

The bill contains language that weakens both preservation of and access to the Historic (paper) Collection; limits deposit to Regionals to tangible publications; and allows Regionals to refuse deposit of tangibles when "preservation" copies are available without making any reference to "access" copies.

We suggest language that would correct these problems. To ensure access we add it as a criterion for retention and delete weak language (i.e. appropriate, sufficient) and specification for preservation only. For preservation, we combine JCP's "4 copies" rule and GPO's "preservation only" rule. We allow Regionals to select digital content but do not require them to do so.

We also suggest adding a requirement of knowing how many copies of an item exist in the National Collection before allowing it to be discarded. (Note that it does not require an inventory of everything, but does require an inventory of that part of the

National Collection affected by the withdrawal.) We also include Quality Assurance of digital surrogates as a requirement before allowing the discard of paper originals.

Under "Financial Assistance" we give GPO the flexibility to support libraries in the maintenance of collections as well as the weeding of collections.

A library which is designated as a Federal Depository Library may, at its request, be designated as a Regional Depository Library if the Library meets the following requirements:

(1) The Library agrees to receive its information dissemination products from the Superintendent of Documents for purposes of this subchapter in tangible form, except that the Library may decline to receive an IDP in tangible form if--

(A) the IDP is available through the online repository under subchapter B; and

(B) The an appropriate number of copies in a sufficient number of Federal Depository Libraries have been identified for preservation by the Superintendent has designated the IDP as "only available digitally."

(2) The Library provides access to all IDPs under this subchapter regardless of form or format.

(3) The library retains at least one copy of all IDPs it receives (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.

(4) The Library coordinates and collaborates with Selective Depository Libraries to maintain access to its collection of tangible IDPs, including IDPs which were in its collection prior to designation as a Regional Depository Library under this section, and may do so by housing some of its collection at one or more Selective Depository Libraries.

(5) The Library agrees to provide services under this subchapter to Selective Depository Libraries under agreements facilitated by the Superintendent of Documents, in accordance with regulations promulgated under this subchapter.

(6) A Senator makes a recommendation to the Superintendent that the Library should be designated as a Regional Depository Library.

(b) WITHDRAWAL OF COLLECTION OF TANGIBLE IDPS.--

A Regional Depository Library may withdraw from its collection of IDPs under this subchapter any of the tangible IDPs which were in its collection prior to the Library's designation as a Regional Depository Library, but only if--

(1) The Superintendent has certified a complete and accurate inventory of that portion of the

National Collection, and

(2) a complete, accurate, and unaltered digital copy of the the withdrawn IDP is available through the online repository under subchapter B; and 3(2) the Superintendent of Documents has determined that at least one copy an appropriate number of such withdrawn IDPs will remain available for access in the Region; and

(4) the Superintendent of Documents has identified at least four copies of such withdrawn IDPs that will remain available for preservation in a sufficient number of Federal Depository Libraries.

(c) **FINANCIAL ASSISTANCE RELOCATION OF COLLECTION OF TANGIBLE IDPS.--** The Public Printer If a collection of information dissemination products in tangible form is authorized relocated from a Regional Depository Library to assist libraries in conforming to these requirements by providing financial assistance for cataloging, inventorying another Federal Depository Library under this subchapter (including relocation resulting from the selective discarding of such products and quality assurance the acceptance of digital copies, and for such discarded products by another Federal Depository Library), the Public Printer shall pay the costs associated withof the relocation, of collections including related cataloging and transportation costs.

(d) **REGULATIONS; CONTENTS.--**The Superintendent shall carry out this section in accordance with regulations promulgated under this subchapter. Such regulations shall--

(1) in establishing criteria for agreements between Regional Depository Libraries and Selective Depository Libraries (as described in paragraph (4) of subsection (a)), give preference to any consortia and similar collaborative efforts in effect between such Libraries, without regard to geographic restrictions;

(2) limit the number of Regional Depository Libraries located in any State to 2; and

(3) to the greatest extent practicable, provide for the designation of at least 2 Regional Depository Libraries in each census region.