

Karen Russ, Chair
Depository Library Council
c/o Federal Depository Library Program
732 N. Capitol Street NW
Washington, DC 20401

Aug. 31, 2017

Dear Chair Russ and Members of the Depository Library Council,

We write in response to Davita Vance-Cooks' call for input into possible changes into the statutory authority for the Federal Depository Library Program. We are grateful for the opportunity since, as has been widely noted, such an overhaul is long overdue. The information that we seek to provide access to for our faculty, students and researchers — as well as to the general public through the FDLP — is increasingly digital; therefore, we fully support changes to the program that place primary emphasis on publications and information, access, and services in the electronic realm.

The first and most basic change is that the language of the statute reflect the digital, networked environment in which we all now operate; to this end we are intrigued by calls to replace the term “publications” with “public information,” as defined in 44 U.S. Code § 3502 (12): “...any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public.” This change to the definition could potentially lead to overbroad interpretations, but at a minimum, the new statute should definitively clarify that the focus of the program is information in digital form. Past experience with so-called “fugitive” documents, information that should have entered the FDLP but did not, tells us to err on the side of inclusion.

Such a change to the definition clearly necessitates changes to the structure of the program and the purpose and responsibilities of the regional and selective depositories. As long as a clear requirement for the GPO to preserve electronic government information is codified into Title 44, whether in Chapter 19 or elsewhere, there is no need for a system of regional depositories each charged with preserving and providing access to this information. We would support a system of regional depositories to continue to maintain a redundant, complete archival sets of print materials but certainly a number lower than the current 47 would be sufficient.

The virtual depository program at the University of Minnesota, serving the public of two additional states, Michigan and South Dakota, as brought to our attention by Prudence Adler of ARL, is intriguing, and certainly a distributed approach to digital *preservation* is a time-tested strategy, but one wonders what would be gained by providing *access* to that information at the regional level. A more compelling direction to us would be some combination of shared print agreements supported by certified digital repositories. The efforts already underway to build a comprehensive digital collection of federal documents that were originally distributed in print in the HathiTrust Digital Library is welcomed by us as we continue to review the storage of print materials in spaces on our campus. This is not to suggest that the program should not acknowledge the importance of “library as place,” that is, physical spaces where citizens, scholars, and the general public can comfortably make use online information with the assistance

of librarians. This is a critical need at a time when social and geographical inequalities can inhibit our citizens' ability to derive the benefits of full access to the information produced by the government.

Finally, we are very concerned that free and open access to digital government information be maintained and codified. To this end we would urge that all analog formats could be available for selection, and that no fees would ever be charged for any electronic formats. We support GPO taking a much more active role in ingesting public information from government agencies, reducing redundancies, and thereby expanding access. Beyond the deposit of digital files in trusted digital depositories as part of the kind of system mentioned earlier, any public information, distributed or made available, should include highly interoperable metadata that could be incorporated in local discovery systems or other implementations via API's.

Readily accessible, reliable, and comprehensive information about the activities of the federal government is essential to the informed citizenry our democracy requires. The teaching and scholarship that takes place in institutions of higher education such as Harvard rely on access to this public information. We look forward to monitoring the discussion on the FDLP as it progresses, and my colleagues and we welcome further opportunities to provide input as all of Title 44 is reviewed by the Committee on House Administration.

With best regards,

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