

## **The Federal Depository Library Program in Federal Agency Law Libraries Summary of Brown Bag Discussion on June 29, 2000**

The Federal Law Librarians Section of the Law Librarian's Society of Washington, D.C., Inc. sponsored a brown bag discussion with Shelia McGarr, Chief of the Library Division, Federal Depository Library Program, Government Printing Office. It was held on June 29, 2000 in conference room 4304, U.S. Environmental Protection Agency, Ariel Rios North Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C.

In attendance at the meeting were Rick McKinney of the Federal Reserve Board Law Library, Mary Grady of the Environmental Protection Agency, Carl Kessler of the Department of Health and Human Services, Sara Sonet of the Supreme Court of the United States, Marie Louise Bernal of the Library of Congress, Ellen Sweet with the Department of Education's National Education Library, and Carolyn Bazarnick, Ricki Kresan, Mariana Long, and Jan Oberla all with the Department of Justice.

Public access to Federal Depository collections in Federal agency libraries was the first topic discussed. Ms. McGarr stressed that to be in the depository library program entailed being open to the public during regular business hours and that if there is a conflict between that priority and the need for agency security (or because of inconvenience, staffing shortages, etc.) than that library should re-assess its depository status. It was noted that a number of Federal agency libraries have dropped out of the program in recent years. However, Ms. McGarr stated that a library may restrict access to just the depository collection. And if the library treats all outside patrons the same they may request appointments be made, have proper ID's shown, have patrons go through entrance security procedures, have them accompanied to and from the library, and charge for or place limits on photocopying. Plus the library may refuse access to persons if it is plain that the patron is only using the library's depository status as a pretext to gain entrance, or if the patron does not follow a code of conduct established by the library (good to have) or if the patron sexually harasses or threatens the security of persons or facilities in the library or agency.

Although rarely done, an agency library that drops out of the Federal Depository Library Program can potentially be asked by the Library of Congress to give up all or part of its past depository collection to another or new agency depository library. It was noted, however, that besides obtaining government publications via depository status or by making normal purchases Federal agencies have the option of obtaining GPO publications (with as many copies as necessary) at a substantial discount by filling out a requisition to ride the printing jacket of a forthcoming publication. One can obtain future publication jacket numbers by contacting GPO. For some reason the Government Printing Office itself does not have this same privilege.

Another topic discussed concerned collection development policy. Each depository library should have a written collection development policy explaining such things as who the library serves, the criteria for item selection, collection intensities, formats chosen, weeding schedule, how items are disposed, and other relevant matters. A piece level record is required such as is normal in shelf lists and other bibliographical controls. Ms. McGarr stated that items can be deleted from selection, even if they are part of the suggested basic collection for all

depository libraries, if they are also available electronically on GPO Access. GPO Access is required to maintain its own electronic material in perpetuity and it is working with various other agencies (National Library of Medicine, Census Bureau, U.S. Institute of Peace, Bureau of Labor Statistics) to establish memoranda of agreements saying that the agency in question will provide permanent public access to agency electronic materials. How future electronic material will be presented and how present materials are to be converted and refreshed in the future is not really known, but GPO is committed to using available means to do so.

Still another discussion topic concerned the disposal of depository material. It was pointed out that, pursuant to title 44 U.S.C. section 1907, unlike all other federal depository libraries, depository libraries in executive departments and independent agencies may weed out publications upon receipt. They do not have to hold government publications for five years, as others must, and agency libraries are not really under the umbrella of the local regional depository library and they do not have to offer their weeded collections to the regional library or other depository libraries. Instead unwanted government publications are supposed to be first offered to the Library of Congress (Exchange and Gifts Division) and the Archivist of the United States. However, in all practicality, after first contacting these two institutions one is generally told that there are very few government publications that they are willing to take (certainly no unbound publications like congressional hearings). Thus weeded material are generally left to the discretion of the agency library but they are encouraged to offer them to other area libraries, announce them on library listservs, and make other arrangements. (It is noted by the authors that similar exceptions for agency library material disposal procedures were **not** placed in provisions of the proposed government publications reform legislation, S. 2288, introduced and reported in the 105<sup>th</sup> Congress.)

Finally, discussion focused on the future of the Federal Depository Library Program and the potential deep cuts in current proposed appropriations for the program. Currently in FY 2000 GPO had been given an appropriation of \$29,986,000 to operate its Superintendent of Documents function (to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law). GPO requested \$34,451,000 for FY2001 (included money for a new edition of the U.S. Code and other matters). In May the House Appropriations Committee approved only \$11,606,000 for the program and proposed terminating the depository distribution of all paper and other tangible publications (leaving GPO Access on the Internet). However, on June 22, 2000, the full House passed a 25,652,000 appropriation for the program (in H.R. 4516) and the Senate bill proposed a \$30,255,000 appropriation (later passed on July 17, 2000 - H.R. 4516 as amended).

A compromise on the House/Senate appropriation numbers will still result in a continued Federal Depository Library Program. However, unless the eventual conference report on the bill so stipulates it is unclear whether GPO will continue distributing items in more than one format (paper, microfiche, CD, Internet) or whether it will continue with the international exchange publication program (the Library of Congress receives a great deal of publications

through this program), and distribution of federal agency by-law copies (including the National Archives). Plus in the House Committee report (106-635), the Congressional Research Service was asked to study how to transfer the Superintendent of Documents function from GPO to the Library of Congress. How these issues play out and what the future holds for the Federal Depository Library Program is not readily apparent. As private citizens, those with viewpoints on these issues are free to contact members of Congress concerning them.

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