



Implementation of the Federal Depository Library Act of 1962

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THE DEPOSITORY LIBRARY ACT of 1962 marked the first general revision of the laws governing the distribution of United States Government publications to designated depositories since the enactment of the General Printing Act of 1895.

The system that had evolved by 1962, under the authority of the basic legislation of 1895 plus some specific amendments, comprised 594 depository libraries located in all of the states of the union plus most of the territories. Improvements in the mechanics of the procedure had reached a point where at least one mailing a day was being made to each depository. The depository system, at the time of the passage of the new law, was serving to get into the libraries in the minimum time, the publications printed by the Government Printing Office.

Despite the fact that the existing depository program was a good and an effective one, there were certain recognized flaws in it. In the late 1930's a proposal by the American Library Association for a full-fledged survey of all depository libraries had just missed adoption because the required funds could not be made available. Probably with some justification there was a considerable feeling that such a survey would have disclosed the need for the relocation of certain depositories in order better to serve the interests of the entire state involved. Those who sought such a survey hoped also that, in the process of any relocation found necessary, there could be accomplished the elimination of some depositories which, if their original designation had been justifiable, had ceased to be the type of library in the area which could, at that later time, best serve the interest of the public.

Because of the changes resulting from shifting population and economic considerations, as well as the desire of additional libraries to achieve depository status, there were frequent requests for the creation

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of new depositories in areas where there was no vacancy for an additional designation. Despite the fact that the law allowed him no discretion in the matter, the negative answer to these requests by the Superintendent of Documents left many librarians with the feeling that he was the primary obstacle to their being able to secure the depository privilege for their libraries.

Another difficulty encountered by the librarians of many depositories in living with the laws in effect prior to 1962 was their inability to dispose of depository publications as freely as they thought necessary, e.g., to solve critical space limitations. The Office of the Superintendent of Documents had paved the way for some relief of this situation by specifying in the instructions to depositories so-called ephemeral material which could be disposed of without the need for other specific authorization. Permission was also extended to depositories to substitute commercially-produced microfacsimile reproductions for depository copies, where the library maintained suitable reading equipment, provided the material was adequately indexed for reference use. Finally, there were in existence in 1962 two voluntary arrangements for regional libraries which made it possible for other depositories in the areas involved to be more liberal in disposing of some parts of their depository collections. These two experimental arrangements in Wisconsin and New York State, which were in operation with the approval and cooperation of the Superintendent of Documents, had proved so successful that there were tentative plans for similar undertakings in several other areas at the time the revised legislation was enacted.

It was to this existing depository program that the changes embodied in Public Law 87-579 were added on August 9, 1962. Under the provisions of that law the number of Representative depository library designations was increased from one to not more than two for each Congressional District and the number of Senatorial designations was also increased to no more than two for a Senator, of each class.

We were happy to see the new law formalize the arrangement for regional depositories, which had proved successful in the two instances in which it had been tried voluntarily. Libraries served by a regional depository could dispose of Government publications more than five years old, with the permission of the regional. The authority of the Superintendent of Documents under the old law to permit the disposition of publications was removed. Other than under the regional arrangement, the only disposition now permitted is of superseded publication or those issued later in bound form.

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The issuance by the Superintendent of Documents of a current classified listing of Government publications containing annotations of contents, for use by designated depository libraries in making their selections, was specifically provided for also in the new Depository Library Law.

Other changes were the requirement of justification and certification of the need for additional depositories and approval by the state library agency or the existing depository in the Congressional District, the increase from 1,000 to 10,000 in the number of other publications that a library must have to qualify as a depository, and the requirement that the Superintendent of Documents' appropriation would thereafter defray the postage cost which the depository libraries had been required to assume by earlier legislation. While most of the foregoing changes would require added resources for the Office of the Superintendent of Documents and there would be inevitable delays in their complete accomplishment, there was nothing in any of them that raised any serious doubt that they could be implemented in the manner prescribed in the law.

The most extensive change in the depository program provided by the 1962 law was that whereby other components of the United States Government were required to provide to the Superintendent of Documents, for distribution to those depositories which had selected them, the appropriate number of copies of their unclassified publications of public interest or educational value not produced by the Government Printing Office but in departmental and field printing plants. It was this provision of the proposed legislation about which we at the Government Printing Office had raised a question before its enactment. The magnitude in scope of the proposal, the production and budgetary problems that would undoubtedly result to the Government agencies producing these publications, the fact that the Superintendent of Documents exercised no control over the publications, and the considerable cost factors to both our Office and other components of Government, were the reasons for our expressed doubt that it would be possible for this portion of the new law to be implemented in the manner that we would wish it to be and with the same result as that part of the program involving publications printed by the Government Printing Office.

The fiscal year had begun July 1 preceding passage of Public Law 87-579, but by October 1, 1962, we had to estimate the additional resources which the administration of the new law would require for the

Office of the Superintendent of Documents during the next fiscal year to begin July 1, 1963. This hurried calculation was necessarily based on a very rough estimate of the number of additional depositories that we could expect to be designated during the next fiscal year, and an even rougher one of the percentage of non-GPO publications which could be identified within that time as coming within the purview of the new law and which we could conceivably secure for distribution. Based on the known factors of the average cost for each depository of providing the publications, plus the cost of distribution, including postage, we estimated the number of additional libraries that would be added during the forthcoming year, and were able to make a definite request for the resources we would need to provide the service to that number of additional depositories insofar as publications printed by the Government Printing Office were concerned. There was no factual basis on which to rely in making a similar request to cover the distribution to the estimated total number of depositories of publications printed in Government departmental and field plants. In view of the short time before the budget request had to be submitted, we assumed that the volume of non-GPO publications to be distributed and the related distribution costs would be approximately the same for these publications as for those produced by the Government Printing Office. We did estimate a reduced figure for the postage that would be required to mail the non-GPO publications, in the belief that they would not include bound volumes and as many large books, but would comprise mostly releases and related material. Our request for the total estimated cost of obtaining and distributing the non-GPO publications for the year was \$174,151.

A letter had been directed by the Public Printer in September 1962 to the heads of all United States Government departments and agencies, outlining provisions of the newly-enacted depository law and requesting the designation of an official in each department or agency, familiar with its publishing program, to work with the Superintendent of Documents in the administration of the system required by the law. These liaison officials were readily designated, and we then requested them to begin a review of their publishing programs to identify tentatively those publications not printed by the Government Printing Office which were of public interest or educational value.

In January 1963, the Public Printer invited seven distinguished librarians to serve as members of an Advisory Committee on Depository Libraries. This action was in accord with a desire which had been

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expressed before the Senate Committee on Rules, during the hearings on the revised depository library legislation. The selections were made from a list submitted by the President of the American Library Association of those regarded by him as having special qualifications to serve in such a capacity. All of those invited agreed to serve and still constitute the Advisory Committee, *viz.*, Dr. Benjamin E. Powell, Librarian of Duke University, Mr. Thomas S. Shaw of the Library School of Louisiana State University (then Chairman of the American Library Association Public Documents Interdivisional Committee), Mr. Paul Howard, Librarian of the U.S. Department of the Interior, Mrs. Robert D. Leigh, the California State Librarian, Mr. Roger H. McDonough, Director, Division of the New Jersey State Library, Mr. Edwin Castagna, Director of the Enoch Pratt Free Library, Baltimore, and Miss Rae Elizabeth Rips, Chief of the History and Travel Department of the Detroit Public Library.

I have been privileged to meet with the Advisory Committee on four occasions, two of which were in the Office of the Public Printer. Although the discussions at these meetings have been confined largely to details of the necessarily slow step-by-step progress being made in implementing certain phases of the program under the new law, we have found them interesting and helpful. I certainly appreciate the willingness of the members of the Committee to take time from their busy schedules to advise us in this difficult area of our operations. I hope that, as we progress in the program, there will be considerations for this group which will be more consistent with the great abilities and responsibilities of its members than the somewhat elementary problems we have brought to them in the early stages of this effort.¹

The Legislative Appropriation Act of 1964, enacted in December, 1963, granted the funds requested for initiating the expanded depository program with publications produced by the Government Printing Office. We were able, subsequently, to make the necessary physical alterations in space, equipment etc., and to assign the necessary additional personnel to this task, which was begun during the early part of 1964.

Congress decided, however, to disallow the entire amount that had been requested for beginning the implementation of that part of the 1962 law which required the depository distribution of the non-GPO publications. In so doing the House of Representatives Committee on Appropriations, in its report, directed the Superintendent of Documents "to continue his exploratory relationships with the agencies, so

that he can be in a better position to size up the problem and definitize a budget for it." 2

Pursuant to the direction of the House Appropriations Committee, we began efforts to arrive at a tentative identification, in cooperation with officials of the Bureau of the Census and the Department of the Interior, of certain publications of those two agencies which were not produced by the Government Printing Office and which were believed to come within the criteria established by the Depository Act for distribution to depository libraries. We based our estimate of the number of depositories which would select this non-GPO Census and Interior material on the percentage of the total number of depository libraries which were selecting similar-type Census and Interior publications printed by the Government Printing Office and already offered in the depository distribution program. The detailed computation on that basis was submitted to the House Appropriations Committee as part of the justification for funds to operate the Office of the Superintendent of Documents for fiscal year 1965, including a requested \$57,000 to begin the implementation of the non-GPO portion of the Act.³

At the House hearings on the Legislative Branch Appropriations for 1965, there was discussion again of the magnitude in scope and total cost of the depository program provided for by the 1962 law. Responding to a question about our future plans beyond 1965, I expressed the belief that we could, perhaps, find other Government departments and agencies to whose non-GPO publications this program could be extended in the years ahead.⁴ The Chairman of the Subcommittee also asked what our course of action would be "If this depository library situation becomes unwieldy or out of hand." I informed him that our discussions with responsible members of the library profession had given us assurance that we would have their support in coming before the Committee to report the progress being made in the program, and that if experience should prove that the law was not capable of implementation, we would be able to discuss some modification of it with the library representatives.⁵

At the hearings on the same measure before the Senate Committee on Appropriations, Edmon Low, Librarian of Oklahoma State University, presented an able statement in support of our request for \$57,000 to conduct the proposed trial program.⁶ Low, recognizing the difficulties involved in a full-scale implementation of the non-GPO portion of the Depository Act, assured the Chairman of the Senate

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subcommittee that he felt the plan as outlined would be a satisfactory beginning. Public Law 88-454, making appropriations for the Legislative Branch for the fiscal year ending June 30, 1965, enacted on August 20, 1964, allowed the requested sum of \$57,000 for beginning the program in the manner which had been outlined to the Appropriations Committees.

The fact that the appropriation act was late in being passed by Congress, and that there was a great deal of preliminary work to be done before the flow of the material from the two agencies to our Office could begin, made it necessary for us to postpone until January 1965 the distribution of the first Census Bureau publications produced outside the Government Printing Office. Once a beginning was made, however, the Census Bureau material has continued to reach us without major incident. By May 1, 1966, more than 650,000 copies of Census Bureau publications had been distributed to the depositories. An anticipated effect on our work load is apparent, and it has been necessary to make many extra mailings to depository libraries, as a result of the additional material made available.

We have also completed surveys on a number of additional series of Interior Department publications, which will greatly increase this distribution during the remainder of the current year. Annotations, as provided for in the Depository Act of 1962, were prepared by the Interior Department to aid the depositories in making their selections. Progress in improving the annotations generally and in the listing of publications groups for selection by depository libraries has been steady but slow, due to the ever-present difficulty of finding personnel who can be spared from other programs to provide this improvement.

The official of the Office of the Superintendent of Documents who was in direct charge of administering the expanded depository program until his untimely death on April 26, 1966, was Mr. Joseph A. King, Assistant Superintendent of Documents and formerly the Chief of our Library. In December, 1965, Mr. King gave me the following observations based on experience in offering the Census Bureau and Interior Department non-GPO publications to depository libraries:

Initially we used many established distributions for some of the Census Bureau non-GPO publications where they were in the same Superintendent of Documents' classification or we felt they were related material which the same selecting libraries would be interested in receiving. However, we could not do this for all of them. For example, the Preliminary Reports on the quinquennial Census of Agriculture are issued for each county in the United States whereas the

final GPO printed reports are by States. Since there are over 1,000 counties in the United States, we had to set up 52 separate distribution lists for these preliminary reports as it was felt that not all libraries selecting the final GPO-printed State reports would want all the separate county reports. This proved true and only about 55 percent of the libraries selected the preliminary county reports in relation to those which select the final State reports.

The effects of the non-GPO distribution program for depository libraries are already being felt by the two agencies presently cooperating in the program. Much of the Bureau of Census releases such as the Current Industrial Reports are wanted by industry just as soon as they are compiled. Producing the extra copies each day that are needed for depository distribution is taxing the limited facilities of the Department of Commerce for in-house reproduction and causing delays in the issuance of this material. To overcome this, the Census Bureau is planning to issue experimentally a daily bulletin incorporating various releases. This would be put into the Government Printing Office to be printed if the experiment is accepted, and thereby take the pressure off the Commerce printing plant.

The Department of the Interior is also concerned about the extra copies it has to produce of the Bureau of Mines series of Information Circulars and Reports of Investigations. While some issues have for several years been printed at GPO, a large number have been produced at the Interior Department field printing plant at Pittsburgh. The Department is now considering the issuance of a weekly bulletin incorporating these series, to be printed at GPO.

The net result, if these two proposals materialize, would be an increase in the cost to this Office for the depository program since, under the 1962 Act, if the publications are printed through the GPO we pay for their printing, but if produced within a department or agency, it pays the cost of printing. Incidentally, the Department of Commerce has already found it necessary to have some of its preliminary Census reports, which it would normally produce, printed by GPO to relieve the pressure on its own printing facilities. Whether the effects of the non-GPO publications provisions of the 1962 Act will force more departmental printing into GPO remains to be seen, but there certainly seems to be a trend in that direction.

The provision for the establishment of regional depositories has been accomplished to the extent that there are now 35 such depositories located in 29 States. There are many things that must be considered by a library before it undertakes the heavy additional responsibility of a regional depository. There are also questions of detailed procedure under this phase of the law which are constantly

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arising. We are working with the libraries to resolve these as they develop. It may well be that, in time our experience and that of the regional libraries can provide a basis for the development of satisfactory rules, regulations and instructions to guide regional depositories in their operations. We are appreciative of the heavy responsibility placed by the law on these key depositories and well aware also that one of the shortcomings often attributed to the earlier depository laws and regulations was their inflexibility. It would seem unwise for us to attempt to standardize in a hurry regulations for all of the regionals, with their varying and often unique problems.

Undoubtedly, we shall be called on to make some evaluation of the results of the initial implementation of the Depository Act of 1962 as it relates to the non-GPO publications of the two Government organizations with which we have been able to begin the program. We shall do this on the basis of all factors which have been developed by our experience as well as those pertinent to the operations of the Government organizations concerned, insofar as these can be ascertained. On the results of that evaluation will probably rest the determination of whether our Office will be provided with resources for its continuation with the two agencies with which we are now working, and for its extension to the non-GPO publications of other Government agencies.

In anticipation of a continuation, with expansion as found possible, we are exploring with the Department of Labor the matter of its in-house produced publications which would come within the purview of the 1962 law. From this study and the records maintained by our Office, we can make a preliminary estimate that the annual distribution of non-GPO Labor Department publications would amount to approximately 200,000 copies. As we did earlier, in the case of the Census and Interior Department publications, the initial estimate is based on the average number of depositories which now select GPO-produced Department of Labor publications. We plan to include in our request for resources for the fiscal year 1967 the necessary amount to provide for the extension of the program to the Labor Department publications.

Progress in this phase of the program has been piecemeal, as planned, and slower in some instances than could be foreseen, but we have moved into the area of actual distribution of non-GPO publications to depository libraries for the first time and can expect that this experience will continue to provide much-needed factual data in a field in which we have been forced to rely heretofore on information which was necessarily speculative to a great extent. With 866 de-

positories designated to date, implementation of the other provisions of the 1962 Depository Library Act is proceeding smoothly and we can anticipate no serious obstacles to this continued progress beyond those inherent in the critical problems of space and personnel, which, with its tremendous and growing work load, our Office must always face.

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