

CIRCULAR LETTER NO. 794

(Supersedes Circular Letters No. 612 dated May 30, 2006 and 614 dated May 30, 2006)

October 19, 2010

TO: Printing and Publishing Officials of the Federal Government

SUBJECT: Disseminating Information Products to the Public through GPO's Federal Depository Library Program

The Government Printing Office (GPO) administers the Federal Depository Library Program (FDLP) in compliance with the Depository Library Act (44 U.S.C., Chapter 19). Through this program, over 50 regional depository libraries and over 1,200 selective depository libraries throughout the United States and its territories receive Government publications and provide permanent free public access. Essentially all Government publications of public interest and/or of educational value, except those that are classified, contain personally identifiable information (PII), or those that are for strictly administrative use, are to be provided to depository libraries for public use – both print and electronic.

How Partnering with GPO Can Help You

Besides complying with the law, including publications in the FDLP guarantees these publications will receive information dissemination services, cataloging and locator services, permanent access, and professional library services. Your valuable information about publications will assist researchers, historians, and the general public to know about existing government publications long after they may have disappeared from the agency website. GPO employs multiple approaches to making agency printed and electronic information products available to the public by incorporating all types of Government information products into the network of FDLP Depository Libraries.

Depository Libraries make available all printed and electronic publications to the public.

- *Print and Other Tangible Publications* – For orders placed through GPO (Central Office and Regional Offices) and/or on agency direct-deal contracts, GPO decides which publications to distribute through the FDLP and determines the appropriate distribution medium and quantity required. GPO bears the printing and binding costs of the depository copies. For products produced independently of the GPO, agencies are required to make the determination, and bear the printing and binding costs or replication charges for copies for depository library distribution. In all cases, GPO bears the expense of distributing the copies.
- *Electronic or Online Publications* – GPO can ensure permanent access and update the cataloging and locator information about your electronic publications. Just notify GPO when your agency initiates, terminates, or substantially modifies an information product available via the Internet or other electronic government information service. Simply send GPO an email message containing title, recent URL, and any other pertinent information indicating if it is new, corrected, a reprint, or next issue of continuing resource to DocDiscovery@gpo.gov.

A listing of terms and their definitions is included for clarification. The enclosed *Guidelines for the Provision of Government Publications for Depository Library Distribution* was developed to guide Government agency officials in determining the suitability of various Government publications for depository distribution. To further assist you in making your determinations, "Types of Publications To Be Included in the Federal Depository Library Program" and "Types of Publications Excluded from the Federal Depository Library Program" are also included as Appendices I and II. Further information about benefits of the program is included in Appendix III.

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Please also refer to Circular Letter No.793, "Use of GPO Form 3868, Notification of Intent to Publish" and Circular Letter 790, "Calling All Federal Agency Publications".

Your efforts are crucial to help GPO widely disseminate your agency's publications and, in addition, meet the mandates of Title 44, United States Code that require information developed at tax payers' expense, print and electronic, to be made available to the public. To that end, we want to ensure that all Government publications are evaluated for inclusion in the FDLP. Should you require additional information on this matter, please contact the individuals referenced in the *Guidelines*, or your GPO Account Representative.

Sincerely,

DR. RICARDO GARCIA
Managing Director, Print Procurement

Enclosure

DEFINITIONS

As used in this letter -

"Agency" means any Federal Government department, including any military department, independent regulatory agency, Government corporation, Government controlled corporation, or other establishment in the executive, legislative, or judicial branch.

"Depository library" means a library, designated under the provisions of 44 U.S.C., Chapter 19, which maintains tangible Government information products for use by the general public, offers professional assistance in locating and using Government information, and provides local capability for the general public to access Government electronic information services.

The **"Federal Depository Library Program"** is a nationwide geographically dispersed system, established under the provisions of 44 U.S.C., Chapter 19 and administered by the Superintendent of Documents, consisting of libraries acting in partnership with the Federal Government for the purpose of enabling the general public to have local access to Federal Government information at no cost.

"Government electronic information service" means the system or method by which an agency or its authorized agent provides public access to Government information products via a telecommunications network.

"Government information" means Government publications, or other Government information products, regardless of form or format, created or compiled by employees of a Government agency, or at Government expense, or as required by law.

"Government information product" means a discrete set of Government information, either conveyed in a tangible physical format including electronic media, or made publicly accessible via a Government electronic information service. The terms

"Government publications" and **"Federal documents"** are also used interchangeably.

"Permanent access" means that Government information products within the scope of the FDLP remain available for continuous, no fee public access through the program. For emphasis, the phrase "permanent public access" is sometimes used with the same definition.

GUIDELINES FOR THE PROVISION OF GOVERNMENT PUBLICATIONS FOR DEPOSITORY LIBRARY DISTRIBUTION

1. PURPOSE OF THE GUIDELINES

The purpose of these guidelines is to assist agencies in complying with the Depository Library Act (44 U.S.C., Chapter 19) for ensuring that Government publications are made available to depository libraries. These guidelines will assist agencies by describing the Government Printing Office (GPO) requirements and procedures, and providing examples of the type of materials to be included in the program.

2. OVERVIEW OF THE DEPOSITORY LIBRARY PROGRAM

The goal of the Federal Depository Library Program (FDLP) is to ensure current and permanent public access to information published by the United States Government. The GPO administers the FDLP, by which Government publications are provided free of charge to over 1,200 libraries in the United States and its territories for the use of the public. The FDLP is the Nation's principal channel for providing Federal Government information to the public.

The purpose and goals of the Federal Depository Library Program are rooted in these underlying principles:

- A well-informed citizenry, cognizant of the policies and activities of its representative Government, is essential for the proper functioning of democracy. Information provided by Government publications is a primary means for citizens to keep informed;
- The public has a right to information contained in Government publications which have been published at public expense. The Government has an obligation to ensure availability of, and access to, these publications at no cost. These publications are a permanent source of Federal information;
- Government has an obligation to guarantee the authenticity and integrity of its information and to ensure its preservation;
- The Federal Government benefits by realizing efficiencies afforded by a centralized distribution system, such as the Federal Depository Library Program, which ensures wide availability of Government publications;
- Individual agencies are able to satisfy much of the public demand for their publications without incurring the costs associated with responding to individual requests for free copies.

The definition of a "Government publication" (44 U.S.C., §1901) means informational matter which is published as an individual document at Government expense, or as required by law.

Over 50 regional depositories receive all publications, both printed and electronic, distributed through the program for permanent retention to ensure that archival resource

collections of Government publications remain available throughout the United States. The remaining selective depositories may choose to receive only specific categories of publications to meet local needs. In return for receiving Government publications at no cost, depository libraries must make the publications available to the public, and provide appropriate assistance to users. Depository Libraries make available to the public both printed and electronic publications.

3. AGENCY RESPONSIBILITIES

Agencies are required by 44 U.S.C., §1901–1903 to make all of their publications ("informational matter which is published as an individual document at Government expense, or as required by law"), regardless of the printing source or publishing format, available to the Superintendent of Documents for distribution to depository libraries, except those which are:

- Determined by their issuing components to be required for official use only or for strictly administrative use, contain personally identifiable information (PII), or for operational purposes which have no public interest or educational value (see Appendix II for examples);
- Classified for reasons of national security;
- So-called cooperative publications, which must necessarily be sold in order to be self-sustaining.

Printed Publications – Agencies are not responsible for the printing and binding costs of depository library copies if the products are acquired through GPO. When these products are not printed or acquired through GPO, the publishing agency must pay for the printing and binding costs associated with printed products and for replication and software costs associated with tangible electronic products for depository libraries. Examples of such products are those produced in printing plants authorized by the Joint Committee on Printing (JCP), or those procured under a JCP printing waiver or under Government contract or grant. In all cases, GPO bears the expense of distributing the publications.

Electronic or Online Publications – Agencies simply can provide an electronic file or URL with title and any other pertinent information by sending an email message to DocDiscovery@gpo.gov.

4. PROCEDURES

Printed Publications – Depository copies are ordered for all agency publications not falling within the "exception" categories described in Section 3, including products published in electronic formats (CD-ROMs, DVDs, video tape, or slides) and for which electronic dissemination is not suitable. Ordering procedures vary according to the printing source of the publication, and are described in Circular Letter No. 793 dated October 6, 2010, "Use of GPO Form 3868, Notification of Intent to Publish."

Electronic or Online Publications – There are at least two ways to provide GPO with access to electronic publications.

1. When an agency publishes an information product on its own website or electronic information service, GPO can direct users to that product. It is

acceptable to simply provide a URL, with the title and other pertinent details (new, corrected, reprint, or next issue in continuing resource) to DocDiscovery@gpo.gov.

2. When an agency ceases to offer remotely accessible public access online to an information product within the scope of the FDLP, GPO can use electronic source files to provide permanent access through the FDLP. Source files may be provided to GPO facilities via file transfer protocol (FTP), Internet download or telnet, CD-ROM or DVD-ROM. GPO can accept virtually all popular electronic formats, electronic source files in PostScript (PS) or Standardized General Markup Language (SGML), ASCII format, and Press Optimized PDF are preferred. Source files for agency information products should reflect the latest authoritative version of the text. GPO may receive such files from the originating agency, or as a by-product of replication contracts administered by GPO. GPO will ensure that electronic files mounted on servers are made available to the public and comply with the Americans With Disabilities Act (P.L. 101-336) and the Rehabilitation Act (P.L. 102-529). These files are disseminated through the Catalog of Government Publications (CGP) and through GPO's FDSys (Federal Digital System) electronic access.

5. ADDITIONAL INFORMATION OR ASSISTANCE

For additional information, clarifications, or assistance about providing publications to the Federal Depository Library Program, please contact your GPO Account Representative, the staff in GPO's Regional Printing and Procurement Offices, or the following staff of Library Services and Content Management:

Content Acquisitions – Library Services & Content Management

U.S. Government Printing Office, Washington, DC 20401

Phone: 202-512-1585

202-512-1408

Fax: 202-512-1260

E-mail about printed publications: FDLPprint@gpo.gov

E-mail about electronic/online publications: DocDiscovery@gpo.gov

APPENDIX I

TYPES OF PUBLICATIONS TO BE INCLUDED IN THE FEDERAL DEPOSITORY LIBRARY PROGRAM – PRINTED AND ELECTRONIC

PURPOSE: This appendix describes many types of publications for inclusion in the Federal Depository Library Program, and provides examples of each type. They are considered to be of "public interest" and/or "educational value" insofar as members of the general public (individuals, governments, private and public institutions, and organizations) have, or could express a need for, or interest in, the information for research, instructional, informational, scholarly, or compliance purposes. Depository Libraries make available printed and electronic publications to the public. The FDLP catalogs and indexes the print and electronic/online publications for the public. The Catalog of Government Publications (CGP) will indicate if a publication exists in multiple formats.

Special care must also be taken to include the following types of products in the Federal Depository Library Program:

- **CONSOLIDATED REPRINTS;**
- **APPENDICES, SUPPLEMENTS, and INSERTS**, such as maps, charts, photographs, microforms;
- **ALL THE ISSUES** of publications issued on a continuing basis, such as periodicals, multi-volume sets, and titles in numbered series;
- **ALL PIECES OF MULTI-PART** publications, such as the binder and tabs in one package and the contents in another;
- Publications printed in an **UNBOUND FORM** intended to be inserted in a binder by the recipient;
- **MULTIPLE LANGUAGE VERSIONS** of the same publication including Braille;
- Publications that are produced in **MEDIA** other than ink-on-paper, such as CD-ROM, microfiche, video tape, multimedia kits, and wall charts; and
- **SUPPLEMENTS, ADDITIONS, AND ERRATA SHEETS.**

QUESTIONS: If you have questions about whether your publications fall within the scope of the Federal Depository Library Program, please contact:

Content Acquisitions – Library Services & Content Management

U.S. Government Printing Office

Washington, DC 20401

Phone: 202-512-1585

202-512-1408

Fax: 202-512-1260

E-mail about printed publications: FDLPprint@gpo.gov

E-mail about electronic/online publications: DocDiscovery@gpo.gov

EXAMPLES OF PUBLICATIONS SUITABLE FOR FDLP DISTRIBUTION – PRINTED AND ELECTRONIC

1. PUBLIC NOTICES, INFORMATION MEMOS, NEWS (press) RELEASES, BULLETINS, and NEWSLETTERS published on a recurring basis.

Examples:

- *Park Science, Resource Management Bulletin*. National Park Service
- *News. Employer Costs for Employee Compensation*. Department of Labor, Bureau of Labor Statistics
- *Program Solicitation, Small Business Innovation Research Program*. Department of Agriculture, Cooperative State Research, Education and Extension Service

2. HANDBOOKS, MANUALS, GUIDES, including **TECHNICAL, PROCEDURAL, ADMINISTRATIVE**, and **TRAINING** publications.

Examples:

- *Work and Family Issues, Training Guide*. Office of Personnel Management,
- *Weather Service Observing Handbooks*. Department of Commerce. National Weather Service

3. CIRCULARS that are advisory in nature, warning the public or segments of the public about dangers, proper conditions for safety, etc.

Example:

- *Advisory Circular, Certification of Normal Category Rotorcraft*. Federal Aviation Administration

4. DIRECTORIES that list staff, office and agency locations, services, etc.

Examples:

- *U.S. Department of State Telephone Directory*. Department of State.
- *United States House of Representatives Telephone Directory*. U.S. House of Representatives

5. PROCEEDINGS of symposia, public meetings, workshops, conferences, hearings, etc.

Examples:

- *Health Without Boundaries, Proceedings of the U.S.-Mexico Border Conference on Women's Health, Salud Sin Fronteras*. National Cancer Institute
- *Proceedings of the Ocean Drilling Program, Initial Reports*. National Science Foundation

6. FORMS, including surveys, applications for services, grants, admission to programs, jobs, etc.

Examples:

- *FormFlow* (CD-ROM). Defense Logistics Agency

- *Capital Gains & Losses, Schedule D (Form 1120)*. Department of the Treasury, Internal Revenue Service
- *Summer Stipends Guidelines and Application Forms*. National Foundation on the Arts and the Humanities, National Endowment for the Humanities

7. MAPS, ATLASES, CHARTS (geographical, topographical, climatological, nautical, economic, etc.).

Examples:

- *Soil Survey of Maries County, Missouri*. Department of Agriculture, Natural Resources Conservation Service
- *Sectional aeronautical chart, Chicago*. Department of Commerce, National Ocean Survey
- *ESI Atlases, Maps and Data in Portable Document Format, Upper Texas Coast* (CD-ROM). Department of Commerce, National Oceanic and Atmospheric Administration

8. GRAPHICS with informational content.

Examples:

- *Eat 5 Fruits & Vegetables a Day, For Health and Energy!* National Cancer Institute
- *Everyone should have a plan*. Department of Homeland Security.
- *Ecoregions of Colorado*. Department of the Interior, U.S. Geological Survey

9. CATALOGS (bibliographies, abstracts, and indexes, which identify and describe publications, educational courses, activities, events, etc.).

Examples:

- *Catalog of Courses and Training Materials*. Department of Health and Human Services, Food and Drug Administration
- *Catalog of Captioned Educational Films/Videos*. Department of Education, Special Education and Rehabilitative Services Office

10. REPORTS, including one-time and recurring reports, which generally describe the status of organizations and/or results of research, investigations, studies, surveys, etc. All versions of a report (draft, preliminary, interim, final) unless they are preliminary versions which are intended for internal agency review and/or are not to be circulated outside of the Federal Government.

Examples:

- *American Indians and Alaska Natives in Postsecondary Education*. Department of Education, National Center for Education
- *NLRB Election Report*. National Labor Relations Board
- *Current Population Reports*. Department of Commerce, Bureau of the Census
- *GAO Reports*. Comptroller General

11. JOURNALS, PERIODICALS, NEWSPAPERS (published on a periodic basis, more substantial than newsletters and bulletins).

Examples:

- *Social Security Bulletin*. Social Security Administration
- *FDA Consumer*. Department of Health and Human Services, Food and Drug Administration
- *Monthly Labor Review*. Department of Labor, Bureau of Labor Statistics

12. ENVIRONMENTAL IMPACT STATEMENTS AND ASSESSMENTS (draft and final). Draft statements are very important since they are issued to obtain public comment.

Examples:

- *Final environmental impact statement: Falls Creek hydroelectric project and land exchange, FERC project no. 11659-002, Alaska*. U.S. Federal Energy Regulatory Commission
- *Final environmental impact statement North Fork Burnt River mining*. Department of Agriculture, Wallowa-Whitman National Forest

13. LEGAL MATERIALS, including **LAWS** and **DECISIONS** issued by regulatory agencies, Courts, Inspectors General, etc., **LEGAL OPINIONS, REGULATIONS, and RULES, LEGISLATIVE HISTORIES, and TREATIES and INTERNATIONAL AGREEMENTS.**

Examples:

- *United States Code*. U.S. Congress
- *Statutes at Large*. National Archives and Records Administration, Office of the Federal Register
- *Decisions and Orders of the NLRB*. National Labor Relations Board
- *Treaties In Force*. Department of State

14. FLYERS, BROCHURES, BOOKLETS, and PAMPHLETS designed to explain Government services and activities to the public.

Examples:

- *Consejos Para Su Salud, Los Mamogramas y El Cancer de Los Senos*. Department of Health and Human Services, National Cancer Institute
- *If You are Blind – How We Can Help*. Social Security Administration
- *Your Embassy at Work, A Guide for U.S. Business Travelers Overseas*. Department of State

15. STATISTICS (publications of any nature that report statistics).

Examples:

- *County and City Data Book* (Paper and CD-ROM). Department of Commerce, Census Bureau
- *Agriculture Statistics*. Department of Agriculture
- *Occupational Employment and Wages*. Department of Labor, Bureau of Labor Statistics

16. MARKETING, PROMOTIONAL FLYERS, and PAMPHLETS.

Examples:

- *Southwest Area Wildland Fire Operations* (Book Marker). Department of Agriculture, Forest Service
- *Guide to Department of Education Programs*. Department of Education
- *U.S. Government Subscriptions*. U.S. Government Printing Office

17. MONOGRAPHS (substantial publications complete in one part or a finite number of parts).

Examples:

- *Charting our Future . . . A Nation's Natural Resource Legacy*. Department of Agriculture, Forest Service
- *Oceans, Into the Next Millennium of Oceanographic Research*. Department of Commerce, National Oceanic and Atmospheric Administration
- *Mathematics and Science Achievement in New Mexico*. Department of Education
- *From Pain to Power: Crime Victims Take Action*. Department of Justice, Office of Victims of Crime

APPENDIX II

TYPES OF PUBLICATIONS EXCLUDED FROM THE FEDERAL DEPOSITORY LIBRARY PROGRAM – PRINTED AND ELECTRONIC

PURPOSE: This appendix describes 14 types of publications and provides examples for publications excluded from the Federal Depository Library Program, because they are for official use only or for strictly administrative use, contain personally identifiable information (PII), or for operational purposes and they are deemed to have no public interest or educational value.

1. JOB VACANCY NOTICES or ANNOUNCEMENTS.

2. RULES, NOTICES, and HANDBOOKS CONCERNING RECREATIONAL and WELFARE ACTIVITIES and SERVICES for FEDERAL EMPLOYEES. Includes such areas as bowling league materials, notices of picnics, parties, blood drives, health clinics, social club minutes, charity contributions, etc.

Examples:

- *General Manual – Merit Protection Plan*
- *USDA Club of Franklin County Meeting Notice*
- *Reclamation Mixed Bowling League – Handbook*

3. MEMOS, DIRECTIVES, NOTICES, and MANUALS of FEDERAL AGENCIES used to implement **PERSONNEL POLICIES**, training activities of specific agencies and other internal administrative operations. (This does not include Government-wide personnel and training activities such as those conducted by Office of Personnel Management.)

Example:

- *Information for Employees Transferring at Government Expense.* Department of the Interior, Bureau of Reclamation

4. DATA INPUT FORMS used to record information to be put into manual or computer record systems.

Example:

- *ADP Nonexpendable Movable Property Responsibility and/or Project Serial & Retrieval Input Form for Describing Biological Families & Genus*

5. FORMS THAT FACILITATE CORRESPONDENCE or control scheduling and collection of data, or route information in such areas as property or equipment management, personnel, operational statistics, or guidelines for internal procedures. Examples include memorandum and letterhead stock, transmittal slips, and guidelines for correspondence performance.

6. PERSONNEL EVALUATION FORMS.

7. SOLICITATIONS for the awarding of procurements including specifications and related documentation. These are usually advertised in the Federal Business Opportunities (FedBizOpps) and the Federal Register and can be acquired from the agency.

Example:

- *Invitation for Bid Requests for Proposed Purchase Requests*

8. ACCESS PASSES (IDs) for automobiles, people, or buildings.

9. SIGNS and **BUMPER STICKERS THAT INSTRUCT**, such as "quiet" or "wet paint," or give information, such as parking lot number or medical and access warnings.

10. WORKING DRAFT (preliminary version that is intended for strictly internal review and revision and does not go to any segment of the public for review or comment).

11. FORM LETTERS designed to go to multiple recipients.

12. USER MANUALS for computer programs in the area of information covered by the **PRIVACY ACT**.

Example:

- *Pay/Pers System Time and Attendance Instructions*

13. AGENCY CONTROL FORMS, HANDBOOKS, and MANUALS used in the management of property such as typewriters, paper, etc.

Example:

- *Warehouse Catalog*

14. Publications containing PERSONALLY IDENTIFIABLE INFORMATION (PII), such as Social Security numbers (SSN), Date of Birth, Bank Account numbers, Credit Card numbers, Driver's License number, and City of Birth.

APPENDIX III

BENEFITS TO AGENCY REACH THE PUBLIC THROUGH GPO'S FDLP

GPO partners with agencies to increase the visibility of Government publications. Tangible paper publications are highly sought after by the public who use Depository Libraries, and electronic technologies afford tremendous opportunities for improved and enhanced public access to Government information. Making agency publications available through the FDLP fulfills public dissemination mandates and ensures that the information is maintained for permanent access even after it is no longer available on the agency website, all at no cost to the agency. GPO promotes government publications, provides easy access, and makes Government publications permanently available to a wide audience of users in the following ways:

Information Dissemination Services

- Disseminate agency electronic information products via GPO's persistent identifiers and archiving services.
- Distribute tangible products to depository libraries at no cost to the agency if produced in or procured through GPO.

Cataloging and Locator Services

- Catalog agency information products in a standard library format for entry into the national bibliographic utility and individual library on-line catalogs nationwide for access by title, agency, subject and other metadata.
- Agency information products are included in the National Bibliography of U.S. Government Publications.

Permanent Access Services

- Coordinate with agencies, partner institutions, and participating depository libraries to ensure that both tangible and remotely accessible electronic information products are maintained permanently for use by the originating agency and the public.
- Store, maintain, and provide distributed permanent access to Government electronic information products.

Depository Library Services

- Over 1,200 depository libraries across the Nation maintain Government information for public use and provide professional assistance for locating and using it.
- More than 50 regional depository libraries maintain permanent collections of all tangible and electronic products. These libraries provide a local capability for the public to access Government on-line electronic information services, allowing the agencies to reach a wider audience.