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JCP Guidelines. On August 8, 1984, the Joint Committee on Printing held an all-day open meeting at which JCP staff answered questions on the revised draft of the "Government Printing, Binding, and Distribution Policies and Guidelines" published in the June 26 Congressional Record (pp. H7075-78). The original draft revision, published last fall (CR, November 11, pp. H7909-13), was intended to embrace new technologies and replace JCP micromanagement procedures with oversight and policymaking functions. For instance, the definition of printing was expanded to include new technological formats and processes. This and other provisions generated hundreds of comments and prompted a number of changes in the draft.

The August 8 audience included about 200 representatives of federal agencies, scientific and scholarly publishers, the information industry, and depository libraries, including representatives of ALA and its Government Documents Round Table. ALA submitted comments on both the first and second drafts, supporting the general direction of the guidelines and particularly commending those sections that provide for technological change and that support and strengthen the depository library program.

The JCP staff explained that the current JCP "regulations" were now being termed "policies and guidelines" in light of the Supreme Court's CHADHA decision (INS v. CHADHA, 102 S. Ct. 2764 (1983)) which held legislative vetoes unconstitutional unless passed by both Houses of Congress and signed by the President. The Justice Department has advised the Defense Department that it need not seek JCP approval as required under 44 U.S.C., Section 501, before conducting printing activities outside the Government Printing Office.

There were numerous questions about printing and publishing outside of GPO, about contracting out for printing and publishing, and about electronic media. The guidelines indicate that publicly funded information should not be contracted out for publishing or offered for initial publication to private parties; however, other sections seem to recognize that this will, in fact, happen.

In answer to queries, the JCP staff said it was not the intent of the guidelines to change the system of publishing federally-funded research in scholarly and scientific journals (with page charges often paid with federal funds). The staff noted that the law required that government printing activities be done at GPO whenever possible, but circumstances at some agencies would justify exemptions. For oversight purposes, the JCP wanted to know the extent and nature of such cases. The Committee's interest was in making sure that government information was available to the public at a fair price, and that copies were provided to depository libraries as required by law.

Several examples of agencies contracting out involved providing federal databases to the private sector for access through commercial systems. Bernadine Hoduski of the JCP staff and Chair of its Ad Hoc Committee on Depository Library Access to Federal Automated Data Bases noted that the Ad Hoc Committee had concluded there is a public interest in access to certain federal databases. The group will recommend a series of pilot projects in its report expected in September.

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(Washington Hotline, cont'd)

Hoduski also noted that there was some disagreement among the commenters concerning the provision in the guidelines that depository libraries provide service to the general public comparable to the service provided to the library's primary clientele. ALA recommended a rephrasing to indicate clearly that the service intended relates specifically to the depository collection. The depository collection should be available to the general public for on-site use and for interlibrary loan on the same basis as to the library's primary clientele.

Although the August 8 meeting was an informational session, one group presented a formal statement--a coalition called SPIRIT (Sensible Policy for Information Resources and Information Technology). Richard E. Wiley, counsel for SPIRIT as well as for the Information Industry Association, recommended a policy review of the statutory framework governing public printing based on encouraging the utilization of private sector publishing resources. He said GPO should be confined to its primary role as the Congress' printer, with federal executive agencies making their own decisions on publication of information. The additional materials that could be made available to depository libraries under the JCP guidelines could lead to federal expenditures of hundreds of millions of dollars. According to the SPIRIT statement, issues such as the best way to make government information available through libraries cannot be resolved without substantial study.

Members of SPIRIT include several industry groups such as the Information Industry Association, the Association of American Publishers, the International Communications Industries Association (formerly NAVA), and the Videotex Industry Association, plus one higher education association, the American Council on Education. ACE includes a number of higher education institutions with depository libraries.

The Information Industry Association also commented on both drafts. In addition, IIA Vice President for Government Relations Robert Willard on August 8 called Title 44 of the U.S. Code an outdated antique which needed revision through the legislative process, not through regulations or guidelines --"calling something printing doesn't make it so." JCP Staff Director Tom Kleis said he would ask the Committee to hold hearings on Title 44 with an eye to revision, but felt the guidelines were needed as an interim step. He asked Willard what he would recommend as a definition of a government publication. Willard indicated he had problems with microforms being "swept in" to the definition, which should include only permanent, discernable, readable formats--presumably only print on paper.

Kleis said it looked like further changes to the draft guidelines were needed. The staff would probably provide a third draft to the Committee to consider in September. However, the third draft might not be a major revision, and might be published as final guidelines without another comment period.

UCNI Restrictions. Over a year ago the Department of Energy proposed regulations on identification and protection of unclassified controlled nuclear information (Federal Register, April 1, 1983, pp. 13988-93). The broad scope of the proposal raised concern about access to information on nuclear research in libraries which are depositories of DOE nuclear materials. Revised proposed regulations have been published in the August 3 Federal Register, pp. 31236-46. DOE says it has made several changes directed at concerns of librarians. ALA is expecting to testify at a public hearing September 13.