

November 7, 2013

Ms. Davita Vance-Cooks
Public Printer of the United States
U.S. Government Printing Office
732 North Capitol Street, N.W.
Washington, D.C. 20401

Dear Public Printer Vance-Cooks:

We are writing to thank you for your commitment to providing continued public access to official, authentic government information during the recent federal government shutdown. On many federal agency websites, activity was suspended and user access to content was denied during this time. However, the Government Printing Office's (GPO) website was accessible, the Catalog of Government Publications was available and able to be searched, and FDsys was updated with Congressional information. The shutdown demonstrated GPO's critical role in ensuring the full electronic life cycle of digital content, from harvesting and cataloging to permanent public access and preservation.

GPO's commitment to "Keeping America Informed," even during a government crisis, allowed members of the public, researchers, attorneys, and small business owners to access official, authentic government information during the 16 days that the federal government was closed. While the government was shut down, users were able to access the *Congressional Record*, *Federal Register*, and authenticated bills and laws, such as the *Continuing Appropriations Act, 2014* through FDsys. The shutdown illustrated FDsys' unique value as the *only* source for no-fee, online permanent public access to official, authentic information from all three branches of government.

Unfortunately, librarians and researchers who needed to find resources maintained by federal agencies were often stymied. Librarians reported to us that they were unable to help faculty with research requests, aid students with assignments, conduct historical research, and assist attorneys in completing regulatory filings. Many agency websites posted a notices that their website was inaccessible during the shutdown. Even when a title was in GPO's Catalog of Government Publications, the persistent uniform resource locator (PURL) pointed to the agency's website, which was often unavailable.

In order to complete research requests, some librarians resorted to consulting unofficial sources, such as the Internet Archive's Wayback Machine, fee-generating websites, or privately-owned legal research databases. For example, Peggy Roebuck Jarrett, Documents & Reference Librarian at the Gallagher Law Library University of Washington School of Law and member of American Association of Law Libraries' (AALL) Government Relations Committee, recounted her experience trying to access the Federal Trade Commission annual report (FTC Annual Highlights) for a researcher. She said, "The FTC website was down and the GPO PURL for the annual report refers back to the FTC. A reference librarian tried the Internet Archive and was able to find an HTML version of the highlights, but not the PDF from March, 2013. We

eventually found a URL that led, through the Wayback Machine, to the PDF of the March 2012 (not 2013) report.” Despite their diligence, two expert librarians were unable to produce the information requested.

To help address this problem, we urge GPO to ingest more agency content into FDsys and to continue to harvest agency websites through the Web Harvesting Pilot Project. Unlike information on government websites, information published on FDsys is permanently available, authenticated, versioned, searchable, and downloadable. Agency materials included on FDsys are easier to find, particularly because agencies often move or take down documents from their websites. GPO’s recent pilot partnership to make digitized content from the Treasury library available on FDsys is an excellent model. In the case of another government shutdown, we encourage GPO to highlight agency resources that have been ingested.

Once again, we appreciate GPO’s commitment to “Keeping America Informed” during the recent government shutdown. AALL collected examples from librarians and others to demonstrate the impact of the shutdown, which are included in Appendix A. If you would like to discuss these matters further, please contact AALL’s Director of Government Relations Emily Feltren at (202) 942-4233 or efeltren@aall.org.

Sincerely,

American Association of Law Libraries
American Library Association
Association of Research Libraries
Special Libraries Association

CC:

Mary Alice Baish, Superintendent of Documents
Joint Committee on Printing
House and Senate Appropriations Subcommittees on Legislative Branch



The American Association of Law Libraries (AALL) is a nonprofit, educational organization founded in 1906 to promote and enhance the value of law libraries to the legal and public communities, to foster the profession of law librarianship, and to provide leadership in the field of legal information. Today, with over 5,000 members, the Association represents law librarians and related professionals who are affiliated with a wide range of institutions: law firms; law schools; corporate legal departments; courts; and local, state and federal government agencies.

www.aall.org

Contact: Emily Feltren, (202) 942-4233

ALA American Library Association

The American Library Association is the oldest and largest library association in the world with some 56,000 members, primarily school, public, academic, and some special librarians, but also trustees, publishers, and friends of libraries. The Association provides leadership for the development, promotion, and improvement of library and information services and the profession of librarianship in order to enhance learning and ensure access to information for all.

www.ala.org

Contact: Jessica McGilvray, (202) 628-8410



The Association of Research Libraries (ARL) is a nonprofit organization of 125 research libraries in the US and Canada. Its mission is to influence the changing environment of scholarly communication and the public policies that affect research libraries and the diverse communities they serve. ARL pursues this mission by advancing the goals of its member research libraries, providing leadership in public and information policy to the scholarly and higher education communities, fostering the exchange of ideas and expertise, facilitating the emergence of new roles for research libraries, and shaping a future environment that leverages its interests with those of allied organizations. www.arl.org

Contact: Prudence Adler, (202) 296-2296



The Special Libraries Association (SLA) is a nonprofit global organization for innovative information professionals and their strategic partners. SLA serves about 9,000 members in 75 countries in the information profession, including corporate, academic, and government information specialists. SLA promotes and strengthens its members through learning, advocacy, and networking initiatives. www.sla.org

Contact: Douglas Newcomb, (703) 647-4923

Appendix A – Law Librarian Shutdown Stories

Just yesterday I was helping someone who is working on legislation to be introduced to the Iowa General Assembly and wanted information about how other states license their juvenile detention facilities. We found a couple of things through the National Center for Juvenile Justice that sounded very useful, but the links went to the Office of Justice Programs website, which was unavailable. I also would have liked to have used the National Criminal Justice Reference Service site and could not. The best available item we found was another government report, by GAO. Its website noted the shutdown and that the site would not be updated, but the old information was still available.

For a class presentation last week on finding evidence-based research in child welfare and juvenile justice, the librarian with whom I was working needed to revamp her instruction the day before the class. She had intended to have students use the Office of Juvenile Justice and Delinquency Prevention (OJJDP) site.

Submitted by Karen L. Wallace
Circulation/Reference Librarian and Professor of Librarianship
Drake University Law Library

Two historical drug resources retained by the Library of Congress and National Library of Medicine are not available for a product liability case. The potential impact to the client (positive or negative) in the millions of dollars. The content is not available elsewhere.

The NAICS content as a pdf and Excel spreadsheet is used for regulatory filings, filings that are still due despite the shutdown. Backups from the Internet Archive are not considered "official" by the regulatory agency involved. As a result, large financial transactions are in limbo -- a limbo that can result in much higher costs, especially in light of the impact on the world markets with the accompanying potential US default.

Freedom of Information Act requests, already backed up far beyond the 20 days to respond, are further slowed with inaction. The requests have a significant impact on the regulated community, especially if a company is facing a fine for non-compliance. The litigation is not stayed just because the government has shut down. Reserves set aside because of litigation are held in limbo longer because the governmental agencies will likely need to play catch up to complete their work.

Product liability case where a "who knew what when" article is at the National Library of Medicine. With the increasing use of access versus ownership, only a handful of libraries own the periodical and most of those libraries have the artifact in storage because --you guessed it -- the quick access copy is at the NLM. There is a lot of tail chasing as we track down the content. Increased expense to the client and counsel results.

Submitted by Anonymous

I teach cost-effective research in my advanced research class. Government websites are the epitome of credible, current and cheap. So I designed a research exercise, which, percentage-wise, was worth about 15-20% of the students' final grade. They were expected only to use free-government sites. Most of them were fine as the information they needed was current at the time it was updated, but one agency, the USDA, went so far as to just put up a shutdown page.

Luckily, I have brilliant students who knew enough to use archive.org to get what they needed from the USDA website that would have otherwise been unavailable to them because of the shutdown. Of course, not all of them knew about archive.org, and had to answer many of the questions with "Unable to answer because of the government shutdown." One of them even took the opportunity to be more colorful in what he thought of Congress interfering with his education.

Submitted by Jason R. Sowards
Assistant Director for Public Services and Lecturer in Law
Massey Law Library
Vanderbilt University

I teach Basic Reference (online) for the certification program for public librarians which is offered by the Department of Libraries in Vermont. Subjects I teach include statistics, among others. Resources demonstrated in my classes include the Census website, FedStats, and a variety of other websites which all rely on statistics from the Federal government. During my class, a number of these sites were down, or not being updated. It was a cascade effect: I could not adequately teach these websites, and consequently the public librarians could not really offer those websites to their patrons or use them for reference - without re-visiting and exploring the websites by themselves, but without the descriptions, tips or exercises which accompany the class. Although the class understood why these resources were not available, it was embarrassing for me and frustrating for them.

Submitted by Paul J. Donovan, M.L.S.
State Law Librarian
Vermont State Library

We have a group of students working on creating a universal international citation guide. This is the time of year that they are busiest because they update every year at the end of October. I frequently refer students to the Law Library of Congress for information on how foreign laws are structured and links to the primary source documents. For the initial part of the shutdown, the Law Library of Congress was inaccessible so this wasn't possible.

I am prepping to teach the Federal section of my free legal resources class, so I am hoping everything is back up and running as usual 2 weeks from now when that unit starts. Otherwise, I'm going to have to do some interesting tap dancing...

Submitted by Becka Rich
Senior Associate Director
Nova Southeastern University

I direct the Samuelson-Glushko Technology Law and Policy Clinic at Colorado Law, where our student attorneys advocate primarily before federal agencies including the FCC, FTC, Copyright Office, and PTO. As you can imagine, the shutdown has had an adverse affect on a lot of our work; agency websites are the primary source for a variety of materials that aren't published in the Federal Register, such as comments and other filings at the FCC and hearing transcripts from the Copyright Office. More generally, agency websites are usually the most efficient place to conduct research on our matters because they collect materials disparately sorted on commercial research services in one place that pertains directly to the subject matter. I'm extremely frustrated with the shutdown for a number of reasons, and the inability to access primary sources efficiently (or often at all) is at the top of the list. A few days of the shutdown would have been a valuable teaching moment—we've spent a lot of time exploring the nuances of the Wayback Machine, Google's cache, and other workarounds—but at this point it's seriously hindering both pedagogical and advocacy goals.

Submitted by Blake E. Reid
Assistant Clinical Professor
Samuelson-Glushko Technology Law & Policy Clinic
Colorado Law

I have a faculty member who has a book deadline at the end of the semester (and several presentations on the same topic before then), and part of his research requires access to old Census records. As I'm sure you know, census.gov is arguably the best source for finding these records from inception to present. Well wouldn't you know it, but as soon as I got this research question from him, the government shuts down and so does census.gov! Every day I check to see if the Census Bureau has reopened their website in spite of the shutdown. Every. Day. Alas, no. I remember hearing that the government shutdown wouldn't really be noticed by most citizens. I just don't think that's true. It is most definitely noticed by researchers and librarians!

Submitted by Anonymous, a reference librarian at an academic law library