



Transformation of the U. S. International Exchange Service: Project Report

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Abstract

The exchange of federal documents between the United States and other countries dates back almost 200 years. The United States' International Exchange Service (IES) for federal documents is more than a century old and was established to share information "relative to legislation, jurisprudence, statistics, ... &c., of all nations, so as to place the material at the command of the committees and members of Congress, heads of bureaus, &c." (History of the Smithsonian Exchanges, by George H. Boehmer. Washington, Smithsonian Institution, 1882.) It is now administered by the Library of Congress and implemented by the Government Printing Office (GPO). Over the last decade, many countries, including the U.S., have significantly decreased the number of titles published in analog format. These changes compel a review of existing legislation and the treaties/executive agreements and informal agreements to which the United States and the Library of Congress are parties.

The transformation of the IES is critical to maintaining access to information produced by the federal governments of other countries. It is also of paramount importance to achieve a flexibility that will meet the needs of individual countries and partners. The goals of the transformation project are to develop a model that embraces both analog and digital formats; to improve access to online publications; and to update the IES agreements, many of which are currently covered by treaties with partner countries. As part of the transformation process, the Library and GPO will consider various models for accessing government content e.g., LOCKSS—Lots of Content Keep Stuff Safe and Web crawling

Purpose of International Exchange

Ten years ago at this very forum, during the IFLA Conference in Bangkok, Johannes Metz stated in his paper, *International Exchange of Official Publications*, "The central idea in international exchange is that each participating country will obtain official material from its exchange partner in order to provide it directly to its own domestic users."

Background for the Transformation Project

Indeed, that was the intent of the United States when it established a program for the exchange of government documents with other countries nearly 200 years ago. The exchange program was originally administered by the Smithsonian Institution and is now administered by the Library of Congress and is known as the International Exchange Service (IES). The U.S. Government Printing Office (GPO) acquires and distributes most of the IES publications on behalf of the Library. Over the last decade, many countries, including the U.S., have significantly decreased the number of publications available for distribution in analog format and increased the number of publication available for distribution in digital format. (For the purpose of this paper, analog format refers to print, microfiche, and tangible electronic.) These changes compel a review of existing legislation and the treaties and other international agreements to which the United States and the Library of Congress are parties.

The transformation of the IES is critical to maintaining access to information produced by the U.S. Government and by the governments of other countries. It is also of paramount importance to achieve a flexibility that will meet the needs of individual countries and partners. The goals of the transformation project are to develop a model that embraces both analog and digital formats; to improve access to digital publications; and to update old or re-establish new IES agreements, many of which are currently covered by treaties with partner countries. As part of the transformation process, the Library and GPO will consider various models for providing access to U.S. Government content, including those publications, e.g., databases, for which there is a subscription fee.

The IES transformation project is a collaborative effort between the Library of Congress, the Government Printing Office, and the Department of State. The project will define what will be "distributed" to IES partners in analog and digital formats, identify IES partners for the future, update the IES agreements, and work through issues associated with how the Library will receive, archive/preserve and deliver digital content from foreign governments.

Currently, under the IES, U.S. Government publications are distributed to those foreign governments that agree to send similar publications to the United States for delivery to the Library of Congress. The Library designates a group of foreign government partners as eligible to receive a "full set" of the U.S. Government publications selected by the Library for exchange. Another group of foreign government partners, as determined by the Library, receives a sub-set of those selected publications or a "partial

set." Additionally, certain foreign government partners, designated by the Library, receive only the Congressional Record, the Federal Register, and/or the U.S. Serial Set.

Distribution to partners receiving the "full and partial sets" of U.S. Government publications is based on lists of publications developed by the Library in the mid-1990s. These lists are now out of date and no longer reflect the types and formats of publications disseminated through the Federal Depository Library Program (FDLP) by the GPO. Distribution to the IES partners has been limited to a subset of the FDLP analog publications. As publications on the lists were converted to electronic-only dissemination, they were no longer made available to the IES partners.

The scope of this project is to modernize the IES program to reflect the current publishing environment of analog and digital content; to achieve a flexibility sufficient to meet individual country needs in terms of the format of the content delivered to them; to recommend or identify tools to receive, access, archive, preserve, and deliver content received by the Library under the IES; and to meet the Library's collection development needs.

Current State of the U.S. IES

In order to begin the transformation process, it is necessary to assess the present situation with the IES.

Authorizing Legislation

Title 44 of the United States Code Section 1719, enacted in 1968 and amended in 1982 and 1986, authorizes the Library of Congress to exchange government publications with foreign governments. It also directs that up to 125 copies of all government publications be supplied to GPO for the purpose of this exchange. There is, not surprisingly, no mention of digital content. This lack of inclusion of digital content presents a series of issues to address. What are the copyright and other legal implications of incorporating digital content into the program? How should the varying copyright laws in the affected countries be addressed? What technical infrastructure must be in place to facilitate access to digital content? What are the implications for preservation/permanent archiving of the digital content? Can each national bibliographic agency be counted on to assume this preservation role? Will metadata be included in access to the digital content? These and related questions are expected to be answered as the transformation of the IES progresses.

Treaties and Other International Agreements

While, the United States is mailing government publications to 124 institutions, there are only about 50 treaties or other international agreements. Of those 50, approximately 20 are known to be inactive in terms of exchange of materials. Some may have been formally terminated and some may have simply become inactive due to regional political changes or to the increased volume of government information that has become available on the Web. In addition to the treaties and other agreements, the United States is distributing U.S. Government documents to national libraries under less formal arrangements.

It is imperative to review all of the treaties and other international agreements to understand the language and commitments that had been made by the signatories. The Library's acquisitions units will collaborate with the Library's Office of the General Counsel, which in turn will interface with the U.S. Department of State, to determine changes that can be made within the framework of the existing agreements.

Publications Currently Exchanged

The publications listed in the treaties, which date from 1936 to 1979, are for the most part, no longer published. Consequently, the IES distributions have provided publications that are currently available and believed to be of interest to our partners — not necessarily the publications cited in the outdated agreements. In fact, the publications distributed from the U.S. for international exchange are a subset of the publications that are currently distributed for the U.S. Federal Depository Library Program (FDLP).

At the beginning of the project, there was no complete list of the actual publications distributed by the Library. Evolving publishing by the federal agencies, Congress, and the White House has kept the list of publications distributed in a state of flux. The project is seeking to rectify this situation by establishing and making available lists of publications distributed by both GPO and by the Library, as well as by developing a mechanism to keep the lists up-to-date.

Further, given the limited-availability of analog publications for distribution, the Library decided to eliminate the distinction between full and partial set partners. As of October 1, 2009, all partners will receive the same set of analog publications. There will remain one exception, however. Some partners receive publications from a "special list" which constitute only certain series of publications from GPO.

The Library will undertake a review of what it receives from our partners both in terms of appropriateness for our collections and for the quantity received. In addition, the Library will examine the status of government information publishing in partner countries. This will assist the Library of Congress in the development of its collections of foreign government publications.

Partners

Since the 1997 reorganization of the Library's acquisitions divisions, there has been no systematic review of exchange agreements. The Library does know that several are inactive. As part of the IES project, the Library has revisited the agreements with an eye toward re-establishing exchanges with former partners and developing a better understanding of the needs of our partners in terms of what they wish to receive. During the autumn of this year, the Library will issue a survey to our partners. This survey will help the Library gather information on the following:

- How the partner provides access to and delivers U.S Government information
- The preferred format for receiving U.S. Government information
- The partner's interest in bibliographic data in the MARC formats for U.S. Government information

Developing a New Model for the IES

The Library's vision for a new IES model includes both the "distribution" and the "receipt" of digital publications. The exploration for this model will occur over the next few years.

Distribution of Digital Content via FDsys

GPO's new Federal Digital System (FDsys) is being implemented through a series of releases, with each release building upon the features of the previous release. There are multiple releases planned over the next several years, with beta testing occurring prior to each release.

A public beta test site for FDsys was launched on January 15, 2009. The first release replaces the functionality and enhances searching and browsing capabilities currently available on *GPO Access*. The information on *GPO Access* is in the process of being migrated to FDsys, a process that will be complete in mid-2009. The migration is occurring on a collection-by-collection basis. The information on *GPO Access* will remain current and continue to be available until migration is complete. Collections available for search in FDsys are:

- Congressional Bills (103rd Congress to Present)
- Congressional Documents (104th Congress to Present)
- Congressional Hearings (105th Congress to Present)
- *Congressional Record* (1994 to Present)
- Congressional Reports (104th Congress to Present)
- *Federal Register* (1994 to Present)
- Public and Private Laws (104th Congress to Present)
- *Compilation of Presidential Documents* (1993 to Present)

FDsys is an advanced digital system that will enable GPO to manage government information in digital form from all three branches of the U.S. Government. As a state-of-the-art digital content management system, FDsys will contain information gathered through three methods:

- Files submitted by Congress and Federal agencies
- Information gathered from Federal agencies' web sites (often referred to as "harvesting" information)
- Digital files created by scanning previously printed publications

Some of the main functions of the system include:

- Publishing -- The U.S. Congress and Federal agencies will be able to submit files and orders electronically to GPO for printing and publishing services, electronic distribution, and inclusion in the [Federal Depository Library Program \(FDLP\)](#)
- Searching for information -- Government information will reach a wider audience by providing authentic published government information to the public through an Internet based system

- Preserving information -- The preservation function of FDsys will ensure public access to government information even as technology changes
- Version control -- Multiple versions of published information are common; FDsys will provide version control for government information

All content available at the site is free to anyone and downloadable.

Distribution of Other Digital Content

There is U.S. Government information that is not free and the Library of Congress will attempt to negotiate availability at no-cost to its partners. In regard to the distribution of digital content, the Library is also exploring the international copyright issues for U.S. Government works, which may affect the partner's reproduction and distribution rights within the partner's country.

Receiving, Archiving, Preserving and Delivering Digital Content

Again, to quote Metz from a decade ago, "As technology develops and world-wide networking increases, new methods are applied to the exchange of official information between states. It is all the more important therefore to provide free access to such information in electronic format, not only at home, but also in at least some central places abroad set up for that purpose. The central idea in international exchanges is that each participating country will obtain official material from its exchange partner in order to provide it directly to its own domestic users. At least, this will be the case when foreign publications remain in the library where the exchange centre is situated, instead of being distributed to various institutions around the country.

"It will not do to have Internet access to foreign material if it remains uncertain how long documents will be retained on these databases. Even if long-term access is secured, it might still be preferable to collect foreign public documents in electronic formats in order to have an independent and continuous collection for future historical research. Governments and their political interests change, and authorities are established only to vanish again. Using electronic collections in national libraries, for example, requires that the libraries themselves receive and store everything and are able to guarantee permanent access under varying technical conditions."

The Library of Congress plans to have the capacity to receive, archive, preserve, and deliver the digital content of the national governments to the degree to which agreements can be negotiated. This will assure free access to the content in perpetuity and will provide backup archival copies in an additional location for preservation. The Library hopes to work with the models it established with several German institutions, should that model prove to be a success, as well as with the model developed for the Global Legal Information Network (GLIN).

Several years ago, the Library began working closely with a small number of leading German libraries to address the increasing prevalence of electronic publishing by governments, especially publishing of the electronic journals. This cooperation, which became known as the international electronic exchange (IEX) project, brought libraries

together to build their collections while reducing costs by exchanging access rights, bibliographic records, and responsibility for preserving government electronic journals.

In January 2008, the Library formally initiated the IEX LOCKSS pilot project. LOCKSS, "Lots of Copies Keep Stuff Safe," is a preservation software system developed and marketed by Stanford University.

The project is memorialized in a signed cooperative agreement among the Library and the German National Library, the State Library of Berlin, the Bavarian State Library, the University of Regensburg Library, the Institute for Library and Information Science at Humboldt University in Berlin, Stanford University Library, and the German Federal Statistics Office to establish and participate in a LOCKSS pilot project. The purpose of the project is to test the cost effectiveness and technical feasibility of using LOCKSS to crawl and harvest e-journals from participating German Government publishing agencies as a method of providing a platform for long-term access and preservation of digital content.

LOCKSS works by crawling the web sites of participating institutions and harvesting the electronic journal content for monitoring and preservation by the participating libraries linked to each other in a closed network. By the end of 2008, the project team had resolved several challenging technical and ownership issues. A substantial number of German Government electronic journals were identified for targeting for "acquisition" and preservation using LOCKSS.

Another model for receiving, archiving, and delivering digital government content is one implemented by the Law Library of Congress. The Law Library of Congress began negotiations in 2006 with the Controller and Queen's Printer in the Office of Public Sector Information (OPSI) Her Majesty's Stationery Office, United Kingdom (U.K.) for the contribution of U.K. law statutes to the Global Legal Information Network (GLIN) database. It was decided to wait until the U.K. had completed a republishing effort which would make their data available in a variety of formats. At the same time, GLIN began exploring options for data exchange that would enable the system to ingest bodies of data. In 2008, the Law Library worked with technical staff at OPSI to map the OPSI data fields for law statutes and corresponding explanatory notes to the required GLIN fields for laws and legal writings, respectively. In late 2008, after an agreement between the two parties was signed, a batch process was used to download the metadata for and PDF files of U.K. law statutes for incorporation into the GLIN database. Since November 2008, the public has had access through GLIN to U.K. laws back to 1988 and the associated explanatory notes. The Law Library continues to add new UK laws and associated explanatory notes to the GLIN database.

Implementation Plans

As stated earlier, on October 1, 2009, the Library of Congress will no longer make a distinction between full and partial set partners and all partners, except the special list partners, will receive the same set of publications. At this time, the set consists primarily of microform products relating to United States Congressional hearings, reports, etc., and a limited set of paper, and DVD/CD-ROM publications. It may be possible, in the future, to offer partners the option to decline the microform products,

with the caveat that some of this material is now only available in this format and that print or electronic versions may not be available or permanently accessible. It is clear, however, that microform products as a preferred means of information dissemination and preservation is increasingly waning.

Communication with Partners

The Library of Congress plans to communicate with its partners on a regular basis throughout this transformation process. This presentation today is the announcement of our plans. The survey described earlier will be the primary mechanism by which the Library will receive information from its partners, so it is hoped that there will be a good return-rate for the completed survey forms.

Negotiating New Agreements

As plans evolve for the exchange of digital publications, the Library of Congress Office of the General Counsel will begin working with IES partners to update the exchange agreements.

Conclusion

Much remains to be done as we proceed with the transformation of the IES. We look forward to the difficult, but exciting, work that lies ahead and to forging new relationships with our partners.

References

44 USC 1719 (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+44USC1719)

Global Legal Information Network (GLIN) (<http://www.glin.gov/search.action>)

GPO's Federal Digital System (FDsys) (<http://www.gpo.gov/fdsys/>)

LOCKSS (<http://www.lockss.org/lockss/Home>)

Metz, Johannes. *International Exchange of Official Publications*, presented at the 65th IFLA Council and General Conference, Bangkok, 1999.