

INFORMATION DISSEMINATION POLICY STATEMENT

EFFECTIVE DATE: 1/10/05

SUPERSEDES

No.: SOD 72

Dated: 07/22/02

Subject: Withdrawal of Federal Information Products from Information Dissemination Collection and Distribution Programs

This policy statement governs official agency requests to withdraw, withhold or restrict access to information products or services available from the GPO Information Dissemination (ID) collection and distribution programs administrated by the Superintendent of Documents (Managing Director, Information Dissemination).

Policy.

The publishing agency is responsible for its own information products and, therefore, only the publishing agency can initiate an official request to withdraw, withhold, or restrict access to agency information products or services available from any of the GPO Information Dissemination programs [an Action].

- a. First Contact. An Action begins when an agency contacts GPO ID to:
 - 1). inform GPO about a problem with a publication that warrants withdrawal, withholding, replacement or removal of that publication from continued public access; or
 - 2). inquire about procedures for withdrawal, withholding, replacement or removal of a publication from continued public access.

Problems warranting an Action include:

- production (printing, software, mastering, etc.) errors;
- content errors;
- presence of classified or sensitive material that could impact national or homeland security; or
- presence of strictly administrative or official-use only material distributed in error, unless subject to the Freedom of Information Act.

b. Referral to Director of Program Planning and Coordination Services. Once first contact is made with GPO, the ID Office receiving the initial contact from the publishing agency will immediately notify the Director of Program Planning and Coordination Services providing the agency contact information, available product information and nature of the inquiry.

c. Initial Research. The Director of Program Planning and Coordination Services will request research to fully identify the information product and verify that GPO ID programs distributed the item. Specifically, the research will include:

- 1). the bibliographic description of the information product ;
- 2). the timeframe and nature of original receipt of the document by GPO including review of the original SF-1 or direct deal letter with official agency identifier and distribution instructions which may be useful in the event of a recall;
- 3). the dissemination actions undertaken by GPO (formats in which distributed and to whom, quantities, etc.);
- 4). the options available to withdraw, withhold, or restrict access to the information product including anticipated costs, if any; and
- 5). If circumstances warrant, consultation with the Office of the General Counsel to ascertain the legality of the action.

d. Confirmation and Verification. Once the initial research has been completed, the Director of Program Planning and Coordination Services will contact the publishing agency to:

- 1). confirm the initial request;
- 2). share additional information obtained through the research;
- 3). advise the agency about GPO policy for such actions to include agency responsibilities associated with removing and returning items to stock and refunds to customers, if applicable;
- 4). discuss alternative actions;
- 5). assess alternatives,
- 6). determine agency intent to pursue an Action and,
- 7). if the agency intends to proceed, request any missing documentation necessary to make the request complete and official.

e. Intent to Withdraw, Withhold or Restrict Access by a Publishing Agency. If after confirmation and verification, the publishing agency remains steadfast in its desire to initiate An Action, the Director of Program Planning and Coordination Services will notify the Superintendent of Documents. This notification will include a recommendation for acceptance or rejection of the intended request, justification of and means to accomplish the action, if recommended. The recommendation should include cost estimates and an evaluation of other anticipated consequences, if applicable. In addition, the recommendation will never request destruction of the information product, but request its return to GPO or the publishing agency, with or without audit.

f. Superintendent of Documents. Prior to issuing an official directive for an Action, the Superintendent of Documents will:

- 1). contact the authorizing official of the publishing agency requesting an Action to discuss the reason for the Action and its potential impact.

2). Determine, jointly with the publishing agency, the most appropriate course of action to be taken. This may include:

- a. destruction of stock held by GPO;
- b. return of stock held by GPO to the publishing agency;
- c. temporarily holding stock held by GPO pending official decision;
- d. removal from the current sales program;
- e. recall from depository libraries or sales program customers by return to GPO, or the publishing agency with or without an audit to ensure compliance;
- e. for past sales of the information product, GPO will provide a listing of those customers who purchased the product so the publishing agency can make the determination if recall needs to be pursued further,
- f. removal of online access.

3). Explain alternative actions the publishing agency may pursue in lieu of withdrawal. If the publishing agency suspects a potential problem, but does not yet have final decision regarding the withdrawal, it may request an information product that has not yet been disseminated “be held” for a limited period of time until a final determination is made.

4). Explain the costs, if any, to the publishing agency when an action is taken. Costs may include one or more of the following:

- a. reimbursement of GPO’s initial production and dissemination costs and the value of the inventory, if any;
- b. reimbursement of GPO’s production and dissemination of replacement items ;
- c. expenses for issuing a recall and auditing copies returned by depository libraries or purchasers; and
- d. expenses for refunding the purchase price to Sales program customers.

5). Determine jointly the content and nature of an announcement, including specific instructions, to the Federal depository Libraries.

6). Explain the notification of professional library associations to garner support for the action.

7). Obtain final agency decision and request an official agency notification in written format, with the signature of the agency head or designated senior management official, requesting the Action.

g. Official Request. The official request from the publishing agency must be made in writing to the Superintendent of Documents. It may be submitted by fax to expedite receipt and initiation of Action, but the signed original document should be delivered. The official request must include the following:

- 1). Detailed bibliographic information to identify the information product;
- 2). Reason for the Action;
- 3). Description of the desired actions to be taken;
- 4). Desired effective date for the Action;

5). Signed statement from the publishing agency head, or authorized designee providing the authority for the action, responsibility for and acceptance of costs, if any for the Action; and

6). Contact information (phone, fax, and e-mail) for the agency official authorized to approve the Action.

h. Official Communications. The Superintendent of Documents will ensure that appropriate official communications are prepared for and provided to the following entities:

1). The publishing agency will receive written confirmation of the action(s) being taken by GPO ID and statement of the agreement concerning the costs associated with the action, if any.

2). The Information Dissemination Service Directors, the Director of Program Support, the Public Printer, the Chief of Staff, and the Offices of Congressional and Public Affairs will be notified in writing of the actions to be undertaken in response to the official request. If appropriate, the Office of Public Affairs will work with the public affairs office of the publishing agency to coordinate responses to press inquiries. The Office of Congressional Affairs will provide advance notice to the appropriate Congressional committees and, if appropriate coordinate with the Congressional affairs office of the publishing agency to coordinate responses to Congressional inquiries.

3). Depending upon the content of the publications, local representatives of some or all of the major library associations (American Library Association, American Association of Law Libraries, Association of Research Libraries, Special Libraries Association, and Medical Libraries Association) will also be notified in order to assure support for the actions taken to the maximum extent possible.

4). Depository Library Council members will also be given advance notice.

5). Depository libraries and sales program customers will receive official recall notices or other appropriate instructions notices about the Action.

i. Final Review and Consultation. When written communications are finalized, the Superintendent of Documents will:

1). Review all communications and consult one more time with the publishing agency to ensure complete understanding of the actions, responsibilities for and possible ramifications of the Action;

2). Ensure that Federal Depository Libraries understand that information products disseminated through the FDLP are federal property, and therefore, subject to recall by the federal government. As such, depository libraries are required to comply with the withdrawal request. Failure to comply is a breach of the partnership between GPO and Federal depository libraries and will be subject to review and appropriate action.

j. Implementation and Record of Actions. Implementation of the Action is the responsibility of the Director, Library and Customer Relations Service who will coordinate actions to be taken by

the ID organization to withdraw the product from collections or distribution services. It is the responsibility of the Director of Program Planning and Coordination Services to collect and maintain all written records, forms, and other information associated with an Action. The Director, Library and Customer Relations Service ensures:

- 1). Copies of withdrawn tangible items are transferred to the National Collection of U. S. Government Publications and/or an equivalent collection of the National Archives and Records Administration to be held without public access until such time as the restriction is lifted. If (when) the restriction is lifted, the content will be returned to public access through the appropriate Information Dissemination collections or distribution programs.
- 2). Copies of electronic files withdrawn from *GPO Access* or the GPO electronic archive are maintained in the National Collection of U. S. Government Publications and/or an equivalent collection of the National Archives and Records Administration to be held without public access until such time as the restriction is lifted. If (when) the restriction is lifted, the content is returned to public access through the appropriate Information Dissemination collections or distribution programs.
- 3). Information products withdrawn because of printing or content errors are replaced as expeditiously as possible and the official notification to Federal depository libraries includes an explanation of when and how the items will be replaced.
- 4). Compilation of a written report on the action is provided to the Director, Program Planning and Coordination Services.

This policy pertains to all U.S. Government information products and services subject to the jurisdiction of the Superintendent of Documents. However, the following limitations apply.

- 1). Under the Sales Program, products sold are no longer the property of the federal government and not subject to the same provisions. However, in cases of national security, GPO will work with publishing agencies to determine what actions, if any, may be feasible.
- 2). Products disseminated through the International Exchange Service (IES) are distributed under international treaty. In such cases, ID will consult with the appropriate officials of the Library of Congress to jointly determine what actions, if any, may be feasible.
- 3). Emergency situations involving an information product impacting national security may arise. Such situations will be handled with the utmost expediency as determined by the Superintendent of Documents.

Application.

This policy applies to all appropriate elements of Information Dissemination, as detailed in the referenced Office Procedure. The Superintendent of Documents must authorize any exceptions to this policy.

Reference.

Policies:

SOD 30 Freezing of Sales Publication and Subscription Items.

SOD 38 Excess, Obsolete, Damaged, and Destroyed Publications and Subscriptions

Others:

44 U.S.C. Chapters 17, 19, and 41, 2000 ed. Available at
<http://www.access.gpo.gov/uscode/title44/chapter17.html>,
<http://www.access.gpo.gov/uscode/title44/chapter19.html>, and
<http://www.access.gpo.gov/uscode/title44/chapter41.html>

U.S. Government Printing Office. Library Programs Service. *Instructions to Depository Libraries*. Washington, DC: Government Printing Office, 2000. Chapter 4, p. 20.
[http://www.access.gpo.gov/su_docs/fdlp/pubs/instructions/instruct.pdf]

Approved _____
Superintendent of Documents